HOUSE OF ASSEMBLY

Wednesday 11 May 1994

The SPEAKER (Hon. G.M. Gunn) took the Chair at 2 p.m. and read prayers.

MURRAY RIVER

A petition signed by 34 residents of South Australia requesting that the House urge the Government to ensure that water to consumers drawn from the River Murray is filtered was presented by Mr Lewis.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Deputy Premier (Hon. S.J. Baker)—

Review of the State Supply Act 1985—Report, March 1994.

By the Minister for Health (Hon. M.H. Armitage)—

South Australian Council on Reproductive Technology—Report, to March 1994.

GAS FLOW

The Hon. D.S. BAKER (Minister for Mines and Energy): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.S. BAKER: SAGASCO Resources has advised that its Haselgrove No. 1 well, located approximately three kilometres south of Penola, flowed gas this morning during a drill stem test of an interval from 2 871 metres to 2 894 metres, at a rate of over four million cubic feet per day on a half-inch choke. The gas flow was produced from the Pretty Hill sandstone, the same geological horizon that produces gas from the Katnook field some four kilometres to the west. Following completion of the test, the well will drill ahead to around 3 250 metres, when logs will be run and the extent of the gas discovery further evaluated. The discovery is particularly encouraging and follows tantalising flows of gas, condensate and oil in March from the Wynn No. 1 well a few kilometres to the north.

It is not possible at this early stage to make any definitive statement concerning reserve levels or the economic nature of the Haselgrove discovery. Nevertheless, I am extremely encouraged and hope that sufficient reserves can be proven to enable further gas based developments to be located in the South-East. My department considers that the gas potential of the South Australian portion of the Otway Basin is considerable. In fact, it estimates that there is a potential that 900 billion cubic feet of gas will eventually be proven in the onshore section of the basin alone. Reserves of this magnitude would be sufficient to supply South Australia's needs for 10 years at the current gas consumption level. I am sure that all members will join with me in congratulating SAGASCO and its partners on the Haselgrove discovery, and hope that the department's optimistic assessment for the basin is realised.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

Mrs KOTZ (Newland): I bring up the eleventh report of the committee on the Development Act regulations and move:

That the report be received.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

Mr CUMMINS (Norwood): I bring up the fifteenth report of the committee and move:

That the report be received.

Motion carried.

Mr CUMMINS: I bring up the sixteenth report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

PATHOLOGY SERVICES

The Hon. LYNN ARNOLD (Leader of the Opposition): Has the Minister for Health met with the principals of Clinpath and Gribbles concerning the policy of contestability, which he announced earlier today? Will the consequences of this new policy be to hand over pathology services undertaken by the IMVS to these private sector operators with the result that the viability of the institute to carry out a range of research and other work will be threatened?

The Hon. M.H. ARMITAGE: A tired old question. The answer is that I have never met with the directors of Clinpath, as far as I can recall, ever. I have met with the owner of Gribbles and that would probably have been probably eight or nine months ago. The reason—

Members interjecting:

The Hon. M.H. ARMITAGE: He is not actually a doctor at all, which shows how much the shadow Minister for Health knows. The reason for meeting with the head of Gribbles was to put an end to what were nothing more or less than scurrilous rumours that were being fostered by people opposite. Quite frankly, those rumours were that we intended to completely privatise pathology services in South Australia. I spoke with the then Minister of Health, who has realised that he could not stay around with this lot and has moved on to better things. He understood my position perfectly. I recognised that there were a number of services within the pathology provision in South Australia—and I will name one: autopsies—which simply are loss leaders. The cost of an autopsy is $800 or $900 and the fee back is about an eighth of that. I understand that members opposite do not know much about private enterprise, but I would have expected—

Mr Atkinson interjecting:

The SPEAKER: Order! The member for Spence.

The Hon. M.H. ARMITAGE:—that they would have realised that very few private sector companies wish to tender for something on which they will lose $700. So I met with the owner and Chief Executive Officer of Gribbles here in South Australia to ask him whether they had ever actually made the comments being attributed to them and reported back to me. The answer was: 'Definitively not.' That was then the end of that discussion. I certainly have not met with any pathologist

since then. However, let me say quite categorically that, had the Leader of the Opposition bothered to read the contestability guidelines he would have seen quite clearly that, in the first instance, the object of contestability is to have benchmarks for quality and price and then to allow the present employees the first opportunity to provide those services for South Australia at the same or better quality and at the same price. If by the intent of his question the Leader expects this Government to stand around and have services provided at the same quality at much greater price, while there are 9 500 people on waiting lists, he has another thing coming.

FEDERAL BUDGET

Mr BRINDAL (Unley): What message does the Premier have for South Australian small business as a result of last night's Federal budget?

The Hon. DEAN BROWN: The Federal budget has painted a very rosy picture in terms of growth rates for Australia for the next three years. The budget projects a growth rate of 4.5 per cent for Australia this year and at least 4 per cent for the two years after that. Although there is some comment around Australia, and I think it is probably very fair comment as to the fact that it is quite questionable whether or not those sort of growth rates can be achieved, Australia, without a doubt, is now going into a new growth phase. My plea to South Australian industry is to make sure it gets out and becomes part of that growth phase: to throw off the shackles of recession, throw off the depression of the 10 black years of Labor and go out and seize the opportunities out there in the market place, especially in export markets.

For too long South Australia has been going through a phase—particularly our industry in this State—which has tended to reflect the poor administration of the State and the fact that we have internal financial problems within Government. There is no doubt that the collapse of the State Bank contributed significantly to that. If Australia as a nation is now out of recession, I want to make sure that South Australian companies show the rest of Australia that South Australia can grow at a rate at least as fast as the rest of Australia. The thrust of the new Government is all about creating a new climate of confidence, a new climate for investment and therefore a new climate for taking on additional employees.

It is interesting that, in August 1992, when I gave a speech in this House and predicted that South Australia could be part of an economic growth rate of 4 per cent a year, the Labor Party absolutely ridiculed the projection I put down. We now have a nationally accepted fact that we are approaching a period where a 4 per cent growth rate can be achieved at least for the next three years. Oh, how the Labor Party failed to understand how an economy works! I highlight to the member for Unley that I am about to embark on an overseas trip in June as part of trying to encourage South Australian companies to get into the export market and to be part of the boom that is occurring particularly within Asia.

Let me highlight to the House the sort of growth rates that Asia is currently enjoying. In China the growth rate this year has been 13 per cent; in Singapore it has been 10 per cent; and in Malaysia it has been greater than 6 per cent. Why cannot Australia, which is part of Asia, be part of that rapidly growing consumer market? By the year 2000 the Asian market will consist of 400 million people with a standard of living equal to or higher than that of Europe. In other words, Asia will be the biggest single consumer market in the world in terms of people and the most rapidly growing consumer market in the world. The opportunity is there for our companies to seize those sort of growth markets in Asia and particularly South-east Asia.

The other key part of the trip is to try to secure for South Australia significant new investment from large overseas investors. Again, this is an area where this State has missed out entirely under the former Government. We all know how companies came here, looked at the opportunities, were refused and went away in most cases very bitter and frustrated. Only this morning I was reading a letter from one of those very large potential investors in South Australia who described to me in two pages his very bitter and frustrating experience under the former Labor Government. Once again we have to start to tell those large potential investors that there is a new Government in South Australia, that there are new opportunities and that we want to attract investment dollars back to South Australia so that this State can share with the rest of Australia in this new growth phase into which we are moving.

HEALTH SYSTEM

Mr ATKINSON (Spence): Why has the Minister for Health implemented recommendations of the Audit Commission on contestability before the Premier's deadline for submissions on the Audit Commission has expired, and does his decision mean that he has rejected recommendation 13.62 of the Audit Commission that a review of pathology services should be undertaken in consultation with the Royal College of Pathologists of Australia?

The Hon. M.H. ARMITAGE: First, we have introduced a set of policy guidelines—step No. 1. Step No. 2: in meetings that I had this morning with the Miscellaneous Workers Union, with SASMOA, the PSA and a number of other people, who I am expecting will be part of this process of providing services in South Australia effectively, I indicated quite clearly that, just as we did with casemix, we would have a consultative process during which time the opportunity for input would be given.

A number of people from the Health Commission, including the acting CEO and others, will meet with the unions to discuss the guidelines in detail, including things like timeframes and implementations. We are expecting their input and help in developing the guidelines for benchmarking and other things like that, all of which will take some time. We expect that the unions will want to be part of providing services effectively and efficiently in South Australia, and certainly they acknowledged that opportunity when I met with them. However, over the past couple of years some services approached me as shadow Minister of Health—well and truly before the election—and said to me, 'Michael, we cannot understand why this Government—

The Hon. M.D. Rann: Doctor!

The Hon. M.H. ARMITAGE: The unions and I are great friends—they are happy to call me 'Michael'. They said to me, 'Michael, we cannot understand why the present Labor Government will not allow us to make some savings. Why will it not let us make these changes?' I asked them, 'What do you mean by that?' One example was the cleaning contract at the Women's and Children's Hospital. The union went around and worked out that, by changing work practices and a number of other things, it could save the hospital $500 000 a year. That was in a hospital which, under the previous Administration, did not have enough funds to buy inconti-

nence pads for children with spina bifida. If a union came to us in the ensuing months while these guidelines were being developed and said, 'We have a project that will allow you to save, for instance, $500 000, and which can be put into services desperately needed', why would we not say, 'Thank you very much, the people of South Australia appreciate that'? Obviously we would.

FEDERAL BUDGET

Mr WADE (Elder): In light of last night's Federal budget, will the Premier advise what support the budget provides for infrastructure development to assist our South Australian economy?

The Hon. DEAN BROWN: A number of significant infrastructure announcements were made in the budget brought down by the Treasurer last night, and I bring them to the attention of the House. First, there was an allocation of just over $22 million under the Better Cities program for new Better Cities projects here in South Australia. Since coming to government the new Government of South Australia has worked hard with the Federal Government in identifying a range of new projects that will be funded under the Better Cities program.

That was needed partly because some of the projects put up by the former Government lacked the focus and economic and community benefit which we believed could be achieved by the Better Cities program. Very shortly I expect announcements to be made by the Federal Minister as to what those new Better Cities projects for South Australia will be and where the $22 million will be spent.

There is a commitment of a new allocation of $4 million this year and a further $4 million next year for the MFP. Of course, the new Government had to go to the Federal Government after an industry study and justify why South Australia should secure that funding.

Members interjecting:

The SPEAKER: The member for Custance will cease interjecting.

The Hon. DEAN BROWN: Only this morning I received a letter from the Prime Minister, Mr Keating, in which he said that the Federal Government was committed to the MFP as a national and international project and that he saw it as a project of major significance. No doubt even Mr Keating has been reading the recent announcements on our achievements as part of the refocussing of the MFP with the securing of Motorola and Australis as part of our Computer Technology Centre. The Federal Government quite rightly asked questions as to what the centre was about when we first came to government. The Federal Government, having looked at the details—it even had the industry inquiry carry out a detailed assessment of it—is obviously very satisfied with the way in which the new Liberal Government has gone after those commercial objectives, which can bring immediate benefit in terms of both investment and jobs for South Australia.

There is a commitment in the Federal budget of $2.8 million for the completion of the feasibility study into the Alice Springs to Darwin rail link, a project which this Government backs very strongly. Once that feasibility study is completed, we hope that the Federal Government will look at the practical problems that will arise in terms of putting the project together. The South Australian Government and the Northern Territory Government have committed $100 million each to that project. We believe that it is economically viable now for a private investor to come in and invest about $400 million, provided the Federal Government is prepared to make a commitment of $350 million to the project. The South Australian Government has made a strong case to the Wran committee, which was established under the Federal budget last year to focus on how Australia can more effectively participate in the economic growth of South-East Asia through improved infrastructure and transport.

There is an allocation in the budget of $2.5 million to complete by the end of this coming financial year the standardisation of the Adelaide to Melbourne rail link. That is very important, because it is more than just a standardisation: it is an upgrading of the whole performance of the track with the installation of heavy rails and concrete sleepers which will cater for very heavy and long trains and, ultimately hopefully, trains that carry double stacks of shipping containers. It will mean that we can have train loads of up to 150 carriages of enormous tonnages and thus provide a very efficient system of dedicated container trains coming from Melbourne through Adelaide straight to our container port where the containers will be loaded directly onto container ships, making it the most efficient container port in the whole of Australia—an objective that we hope to achieve by the end of this coming financial year.

Finally, there is a commitment in the budget to spend $300 000 on a scoping study for the sale of airports throughout Australia, including the Adelaide Airport. I challenge the Leader of the Opposition to make sure that, at the national conference of the Labor Party in September, the South Australian Labor Party supports the privatisation of our airports. We know that nationally the Left of the Labor Party now opposes the privatisation of airports, and we know the extent to which the Left of the Labor Party is on the march in South Australia. So, let us make sure that the Left of the Labor Party in South Australia does not step on another crucial State initiative to privatise the airport as part of its upgrading and the extension of the runway.

TAILINGS DAM

Mr QUIRKE (Playford): Can the Minister for Mines and Energy confirm that he now has a report from Western Mining Corporation on the tailings dam leak earlier this year? Will he tell the House the findings of that report and, in particular, the results of remedial action that has been taken, the effect on the water table and the details of further work and monitoring programs?

The Hon. D.S. BAKER: I thank the honourable member for his question. As I said in the House yesterday, the undertaking by Western Mining Corporation was to provide a report by the middle of May. In fact, it handed that report to me today, and it will be released for the public at 2.30 today. I congratulate it on getting the report to the public of South Australia earlier than the initial undertaking. On 14 February this year, I announced to this House that a leak had been found in the Western Mining Corporation dam at Roxby Downs. The Western Mining Corporation gave an undertaking that within three months it would detail back to the Government of South Australia and to our Federal colleagues, with whom we have been in constant contact, the results of work carried out, work in progress and future work that would make sure that any problems up there were dealt with in a very business like and efficient manner. So, I congratulate Western Mining Corporation on all that action.

Really, what the question is saying and what this report says is that the level in the water table has reduced signifi-

cantly and that the levels that have been seeping will have no effect at all on the environment. The report further states that there will be no threat to the mine operations or to the health and safety of the mine workers. It states that the water that has seeped in the past will be recovered and used as a resource in the mining operations. It has spent over $1 million already to make sure not only that a decent evaluation has been carried out but that plans for the future are in place. It also says in the report that it will construct a new large dam of some 30 hectares by the end of this year to make sure that, as the mine expands, any of the previous problems will not become apparent. I compliment the company on that.

Since coming into government, we have made sure that the public and this Parliament have been notified at all times. I came into this House on 14 February and related to the House a previous problem, put it on the public record and put forward a plan of action to fix it. This is in contrast to what happened with the previous Government. It knew about this on 3 September 1993. The then Treasurer knew all about it.

An honourable member interjecting:

The Hon. D.S. BAKER: Yes, as the honourable member said, he probably put a yellow sticker on it and shoved it in the bottom drawer. Nothing was said—not even when the Premier, on 3 September, visited Roxby Downs. He did not tell him not only about the leak in the dam but about the budget blow-out, either. That is the problem: he was trying to hide everything from the public. We have come out into the open and told this Parliament what is going on. I congratulate Western Mining Corporation on its approach and the prompt way in which it will fix the problem. The public of South Australia will be informed at all times on the progress of making sure that Roxby Downs has a 200 year future and contributes to the wealth of South Australia as it should.

FEDERAL BUDGET

Mrs HALL (Coles): Will the Treasurer inform the House of any impact last night's Federal budget might have on the State's finances and, in particular, how South Australia fared in terms of grants payments?

The Hon. S.J. BAKER: One of the great challenges that this State faces is how to cope with a Federal Government that keeps slashing our grants. The picture from Canberra is quite mixed. In fact, we are still working through the details. It is not clear at this stage how much Canberra is actually giving us. That may well be a problem with having an early budget, or it may well be a problem in Canberra.

As far as we can ascertain at this stage—and further reconciliations are to take place with the figures—the net payments to South Australia, including payments to local government, are estimated to fall by .4 per cent in nominal terms, which represents a real decline of 2.5 per cent. Excluding the impact of the State Bank assistance package, the net payments to South Australia declined by 3.3 per cent in nominal terms, or 5.4 per cent in real terms. We have already heard about the general purpose payments and, excluding the Better Cities money, they rise by only .2 per cent in nominal terms compared with a rise of 2.1 per cent for all States and Territories. In real terms there is a fall for South Australia of 2 per cent versus a marginal decline of .1 per cent overall.

It is quite clear to me that the Commonwealth is offsetting all our grants and revenue assistance because of the State Bank bailout. Indeed, the $647 million negotiated by the former Government is now being taken off our other grants: that is quite apparent. Special purpose payments are up by 4.4 per cent in nominal terms, but after we adjust for the State Bank bailout they are down in real terms by 5.5 per cent.

It is important to understand that there are a number of unknowns in the system. We are working through all the lines that have been provided in the budget statement but we still do not know exactly the final dollars and cents figure, particularly relating to special purpose payments. As all members who have studied budgets would be aware, it is important to see what the previous year's grants are compared to this year's grants. Those figures are not available. They were indicative at the time of the last budget but many have changed; some of the grants in fact fell far short of those originally promised.

Some areas we do not have any idea about because we believe they require matching expenditure on behalf of the State, and that would put us into further debt. So, we cannot guarantee the veracity of some of the general figures that we have been given. In some areas the figures simply do not reconcile. In relation to health, for example, which is a major budget item, we do not have sufficient detail. We note that gross payments for South Australia rose by 3.8 per cent in nominal terms.

The important issue for us is not only the budget figures themselves but also the context of the budget. It should be clearly understood that not only have we taken a significant loss in relation to budget assistance from Canberra but also its whole budget strategy is placing continued stress on our own budget. By that I mean that there has been an expectation on international and national markets as to the softness of this budget. I point out that in January the 10 year bond rate was 6.4 per cent and currently it is 8.75 per cent. So, we have seen an increase of over 2 per cent in the cost of borrowing funds for our budget purposes, and that is a significant cost to this State and in fact has not been allowed for in any revenue assistance package.

It is important to understand that when Federal Governments decide to spend up big in a time of growth that strategy is fraught with a great deal of danger, and we are seeing that in relation to the interest rate expectations of the international markets, because it will place pressure on imports and further pressure on interest rates, labour markets and wages. It is a budget which I think is fraught with a great deal of danger. It concerns me not only from the State budgeting viewpoint, because of the higher interest costs, but also because of our international competitiveness.

We were told at the Premiers Conference that we could not have a decent arrangement put in place by the Commonwealth which would give us some real increase in funding or even hold it in real terms to last year's figures, because all the moneys that were going to come to the Federal Treasury as a result of growth would be allocated for deficit and debt reduction. That is what we were told at that time. It has not eventuated; it has been plugged back into the budget, and I do not believe that the strategy developed by the Federal Government will be to the good of this State or to the good of this country.

STUDENT UNION FEES

The Hon. M.D. RANN (Deputy Leader of the Opposition): Will the Minister for Employment, Training and Further Education assure this House that the Government has no intention of introducing legislation to end mandatory student association fees in South Australia's three universi-

ties? The Kennett Liberal Government in Victoria last week followed its Liberal counterpart in Western Australia in tabling a Bill introducing what is described as 'voluntary student unionism' and limiting the services for which mandatory student fees can be charged. Student unions in Victoria and Western Australia have condemned the move, saying that it would have a major impact on student services including health, counselling, welfare services, union publications, clubs, societies and cultural groups.

In Melbourne former students, including Adelaide Festival Director Barrie Kosky, Australia Council Chairperson Hilary McPhee, playwrights Graham Blundell and Jack Hibberd, have attacked the move, saying that it will undermine cultural life in Victoria's universities. Will the Minister rule it out now?

The Hon. R.B. SUCH: I can rule it out. We made it quite clear before the election that we had no intention of getting involved in the matter of student union subscriptions. In fact, the term 'union' I think is a misnomer; they should be called something else. I met with all the affected bodies prior to the election and made it quite clear that we have no intention of getting involved in that issue. We take the view that universities comprise adults and that if the students or staff do not like what happens to their associations, whether they be staff or student bodies, they should become actively involved and do something about it. So, I indicate that we have no intention of going down that path, because it would be unproductive, and we rely on the good sense of students and staff at the universities to manage their own affairs.

SOUTH AFRICA

Mr LEGGETT (Hanson): My question is directed also to the Minister for Employment, Training and Further Education. In view of recent major changes taking places in South Africa, will the Minister inform the House as to what opportunities exist to provide vocational education and training to that country, and what will be the benefits for both South Africa and South Australia?

The Hon. R.B. SUCH: We live in exciting times which have seen some dramatic changes, not only in South Africa but in Eastern Europe and now in the Middle East as well. In February I met with the South African Ambassador, His Excellency Naude Steyn, and discussed with him a range of possibilities in terms of vocational education and training, and ways in which we can cooperate and work with people in his country. I instructed my department immediately to make contact with the appropriate people in the embassy, which it has done. I also canvassed the possibility of some kind of peace corps arrangement to help that country, and I believe that is something that should be further explored.

The Ambassador indicated that South Africa needs to build a new school every day just to keep up with the demands for education. As we know, TAFE in South Australia is a world leader, and the South Africans are very interested in using our expertise in developing programs for all South Africans: for the blacks, the coloureds and those of European extraction. We have the expertise to do that. So, we are maintaining very close links with the Government there and the Ambassador here, and that is in keeping with our policy of selling our expertise to other countries, which we are doing at the moment in Thailand, Malaysia and Indonesia, and also pursuing actively in a whole range of other countries. So, the South African connection I believe can be a very fruitful one for both South Africa and South Australia.

SACON

The Hon. FRANK BLEVINS (Giles): Will the Minister for Industrial Relations confirm that all employees of SACON who do not accept a TSP will continue to be permanent employees within the Public Service? In SACON's newsletter, issued yesterday, the following paragraph appeared:

> It is important staff consider the option of a separation package seriously as present conditions are not guaranteed after 15 July 1994.

Mr LEWIS: On a point of order, I am unable to determine whether or not the member for Giles is speaking in English.

The SPEAKER: Order! Question Time has been of a higher standard today because there have been fewer interjections, but I must say that the member for Giles was rather difficult to hear. I suggest he speak closer to the microphone.

The Hon. FRANK BLEVINS: Not only was it English, Sir, but it was the Queen's English. The extract I have read from the Chief Executive's newsletter has given me great cause for concern, hence my question.

The Hon. G.A. INGERSON: Yesterday in the discussion I had with, I think, 15 union representatives along with the Chief Executive Officer, we said to all the unions represented there that separation packages would be made available to every member of the staff of SACON and that, for those earning more than $30 000, it would be in their best interests if those separation packages were taken prior to 30 June. In respect of those earning less than $30 000, the Federal Government had given a further extension to 14 July this year. So, our package clearly to all SACON workers was based on a Federal Government decision; that is, that those who took their separation packages prior to 30 June would be significantly better off. That was the purpose of our discussion yesterday.

The future of SACON is about competitiveness; it is about all the functions that currently exist in SACON remaining competitive. As I said to the unions yesterday, the future of SACON is entirely in the hands of the management, the employees and me in terms of its competitive operation. If SACON (and the general role of SACON) is to survive, it is up to me as the Minister, the management and everyone else involved to make sure we uphold those ideals. I should have thought it was in the best interests of South Australia and in the best interests of every employee in the public sector that we make sure that all our statutory authorities and everything we do in this State remains competitive.

INTERNATIONAL LABOUR ORGANISATION

Mr CUMMINS (Norwood): My question is addressed to the Minister for Industrial Relations. Given that this is the seventy-fifth anniversary of the International Labour Organisation, what is the South Australian Liberal Government's commitment towards the celebration?

The Hon. G.A. INGERSON: I know that the member for Norwood has had a long interest in industrial relations, particularly in the area of ILO conventions. The first thing that this Government has done through the Industrial and Employee Relations Act that is before this House is to make sure that the award safety net is part of any future industrial relations situation.

Members interjecting:

The Hon. G.A. INGERSON: I am staggered that there should be any interjection from members opposite. Further, for the first time in Australian law we are attempting to provide equal pay for equal work for men and women in our State. I would have thought that that was a situation that every member opposite would think should have been in their previous Bill, as this convention was introduced some 25 years ago. So, it is a very important convention.

The second convention we have introduced relates to termination of employment on the initiative of the employer. That convention, again, has been around since 1982. It took the Liberal Government to introduce those conventions. We have gone even further than that and this year, to celebrate the 75th anniversary of the ILO conventions, we have invited Miss Mary Chinery-Hess, Director-General of the ILO, to be a keynote speaker at a national convention to be held here in August.

We believe that, if we are going to have a tripartite operation as far as industrial relations are concerned, it is very important that the conventions accepted by this organisation internationally should be properly introduced into industrial law and not introduced at the convenience of members opposite, particularly as they relate to freedom of association. Any ILO convention clearly sets out that there ought to be a situation where people have the right to join or not to join an association. It has taken this Government to introduce an ILO convention to grant people the right to join or not join a union.

Mr Atkinson interjecting:

The SPEAKER: Order! The member for Spence.

The Hon. G.A. INGERSON: I believe that those sorts of attitudes by this Government clearly show our commitment to the 75th anniversary of the ILO organisation.

SACON

The Hon. FRANK BLEVINS (Giles): My question is directed to the Minister for Industrial Affairs. How many country area offices and/or depots operated by SACON will be shut or downsized as a result of the policy to tender out work previously undertaken by SACON? In the newsletter I quoted earlier from the Chief Executive Officer of SACON, dated 10 May, staff were advised that the role of area offices will be reviewed immediately. Country people have already contacted me with their concerns that once again services will be removed from country areas.

The Hon. G.A. INGERSON: Yesterday's statement, as the member opposite clearly said in his question, refers to the Government's intention to review all country operations. There is no intention—and this has been put down clearly by this Government on many occasions—to reduce the services to people in country areas, unlike what was done by the previous Government. We need only to go through all of the examples of the downsizing and cutting back of services in country areas by the previous Government. We can list actions such as the cutback of EWS depots; the cut back of electricity; and the reduction in the number of police and ambulance services. We can go on and on listing them.

The previous Government could not have cared less about people in the country. It was stated in the document yesterday that it was the intention of this Government, as it relates to the involvement of SACON in the country areas, to review its services. I make it very clear to the honourable member opposite: it is our intention to make SACON a competitive statutory authority, and it will be competitive. It will provide services in country areas at a competitive rate as often and as many times as possible. It is as simple as that. The process will be reviewed. As all of the SACON staff were told yesterday and today, we are now heading into the process of working out how this process will occur. There has been no decision, and there is no intention, to cut services in country areas.

INDUSTRIAL SUPPLIES OFFICE

Mr EVANS (Davenport): Can the Minister for Industry, Manufacturing, Small Business and Regional Development explain how the Industrial Supplies Office identifies import replacement opportunities and whether such opportunities have been taken up by South Australian companies?

The Hon. J.W. OLSEN: The Industrial Supplies Office is clearly another success story in South Australia. It is an office staffed by some five people who, since its inception, have sourced some $580 million worth of contracts or supplies from South Australian industry. If you take the $500 million worth of contracts it has been able to redirect to South Australian manufacturers and suppliers—and, on current assessments, there are 30 jobs for every $1 million worth of supplies sourced locally—you can quite clearly see that the operation of that office is creating significant job opportunities for South Australians.

The office is now part of the Centre for Manufacturing—a more logical home for the office—having closer linkages with the manufacturing centre. The office, as a result of its restructuring, will look at opportunities through the centre and through the Economic Development Authority to bring those job opportunities to South Australia. There are many missed opportunities. For example, in the member for Mawson's electorate there is a mushroom farm. At the moment, sliced mushrooms for pizzas are imported to South Australia. Surely there is an opportunity to facilitate the coordination of the growing of that food product in South Australia, the manufacturing of it, and the slicing of it to go on pizzas in this State. Whilst that might seem insignificant, it can in fact generate significant job opportunities. The Industrial Supplies Office has also been working very closely with the PC3 Orion contract. Since my discussion with the Federal Minister for Defence (Hon. Robert Ray) earlier this year—

An honourable member interjecting:

The Hon. J.W. OLSEN: Yes, and support. I have had an indication from Senator Ray that they would be looking to three key components in the letting of the $600 million contract. The first is the price and the second is the quality of the finished product in the refurbishment of the PC3 Orion. However, the other component is the provision of maximum sourcing of product, manufacturing, supply, support and jobs from Australia and, in this instance, South Australia.

The Industrial Supplies Office has been tasked both nationally and internationally to look at ways in which, upon the success of the PC3 Orion contract and its location in South Australia, we can source the majority of support services, manufacturing, and a whole range of other services out of South Australia—much the same as we are doing with the Australis contract.

Through the Economic Development Authority we are now seeking to go through industry sectors in South Australia to identify where products are coming in from interstate or overseas, where we can give, facilitate, support and coordinate the supply of those products from within South Australia

and put in place a strategy to supply major contracts out of a South Australian manufacturing base. I hope to give further support and upgrading to the role of the Industrial Supplies Office to meet that objective.

If we are going to get the 4 per cent growth—$500 million worth of additional investment each year and the generation of the job opportunities target put forward by the Premier—we are going to have to access every source available to us. However, the House should note that six months into this Government's term we have already identified about $240 million worth of investment expenditure this financial year. We are more than halfway towards achieving this year's goal.

The Industrial Supplies Office has a range of projects which have been successful over the past few months. For example, there is the $500 000 contract for stainless steel struts being accessed out of South Australia rather than overseas; commercial ice-making machines; outdoor furniture that was coming in from overseas; and Defence Department vehicle upgrades. The office is even looking at the specifications for fitting out TAFE kitchens which precluded supply out of South Australia, identifying where those specifications precluded South Australian suppliers. That has now changed and South Australian suppliers are servicing and giving infrastructure support to TAFE kitchens throughout the State. It is in those areas that the ISO is providing a valuable job creating service for South Australia, and it will continue to do that with a carefully targeted strategy of working through every industry sector group to make sure we make good every opportunity that comes our way.

BUILDING MANAGEMENT DEPARTMENT

Mr CLARKE (Ross Smith): My question is directed to the Minister for Industrial Relations—

Mr Venning interjecting:

The SPEAKER: Order! The member for Custance will not interject.

Mr CLARKE: Why did not the Minister honour the Premier's undertaking to receive submissions on the recommendations of the Audit Commission until 24 May before creating a new department which has a major impact on those recommendations? In his ministerial statement of 3 May the Premier invited written submissions on the Audit Commission's recommendations by 24 May. This undertaking was clearly ignored by the announcement yesterday of major changes to SACON and the way in which matters dealt with in recommendations 4.13 and 4.14, including the maintenance of Government assets and the management of major projects, will be carried out.

The Hon. G.A. INGERSON: I thank the member for Ross Smith for his very important question. It is nice to see him back. I wonder how long he will be here.

Members interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON: On 12 December the Liberal Party decided to implement its policy on SACON, and since that day there has been a working party at management, employee and ministerial level discussing the issue. As a result of that 5½ months of planning we have implemented our policy.

TRAINING

Mr ANDREW (Chaffey): Can the Minister for Employment, Training and Further Education provide information regarding recent trainee and apprenticeship growth in the Riverland region in South Australia?

The Hon. R.B. SUCH: I thank the member for Chaffey because he is a very good local member. This time last year there was a total of 55 trainees and apprentices in the Riverland area at all levels. Since December we have taken on 38 new trainees just at the first year level. That is a significant boost. One of the important factors has been as a result of the jobs package we announced in January to provide an increased subsidy to employers who take on trainees and apprentices through the group training scheme. I am pleased to note that, following the success of the scheme here, the Federal Government in its white paper last week copied that approach and has decided to further increase support for the group training apprenticeship and trainee scheme. In relation to the white paper, it is interesting that it has also picked up a lot of our other initiatives.

Members will recall that last year the then Leader of the Opposition announced a training wage, which was not age restricted, which is exactly the general thrust of the recently announced Federal proposal. It has also picked up the broker scheme which was announced by this Government back in December and which is very much part of the white paper proposals announced last week. In relation to the Riverland, it is a very important area. The wine industry is expanding, and it is a great area also for tourism and general horticulture. It is a commitment of this Government that we ensure that country people, young and old, have access to training opportunities. We intend to intensify our efforts to make sure that people not only in the Riverland but other country regions have access to group training schemes and other training programs. In short, the good news from the Riverland is a massive increase in the number of trainees and apprentices. I commend the local member for his energetic efforts in promoting training in that area.

ELECTRICITY TARIFFS

Mr FOLEY (Hart): Will the Minister for Infrastructure rule out price increases to country electricity consumers? The report of the Audit Commission recommends that existing tariffs should be restructured to make them more cost reflective. The report says that existing tariffs contain a large cost subsidy from urban to rural consumers estimated to be around $60 million per year.

The Hon. J.W. OLSEN: As the honourable member would full well know, the Audit Commission also went on to say that you had to take out part of the infrastructure as not being a reasonable component of the cost of the provision of power to country areas of South Australia. As a Government we will seek to reduce the cost of power to business enterprises, in particular small and medium businesses, in South Australia. At the moment an annual subsidy of about $40 million is paid for by small to medium businesses to residential tariff consumers in South Australia. That imbalance simply has to be redressed so that South Australian business operators, in particular small business operators in South Australia, whether they are located in the country or the metropolitan area, have some relief from the excessively high tariff costs that they have had to bear over the course of the past decade or so under the former Administration.

We well know that on previous occasions the Electricity Trust put to the former Government that there should be some relief to the business community. Small to medium businesses were constantly ignored by the former Government and

are paying a significant penalty. That penalty means the loss of job opportunities and the loss of creating jobs for South Australians. Given the clear focus of this Government in respect of economic priority and the development and profitability of small businesses in particular, it is essential that we get the costs of power down for those business enterprises. I can assure you, Mr Speaker, that we will be seeking to get the cost of power down for both small and medium businesses in both the metropolitan and country areas of South Australia.

MOSS ROCKS

Mr LEWIS (Ridley): My question is directed to the Minister for the Environment and Natural Resources. In view—

An honourable member interjecting:

The SPEAKER: Order!

Mr LEWIS: —of the fact that the trade in moss rocks contravenes the Native Vegetation Act—

The Hon. FRANK BLEVINS: I rise on a point of order, Mr Speaker. Would the member for Ridley repeat the question, because I could not hear him for the noise?

Members interjecting:

The SPEAKER: Order! Would the member for Ridley repeat his question.

Mr LEWIS: Mr Speaker—

Members interjecting:

The SPEAKER: Order!

Mr LEWIS: In Australian, can I say: in view of the fact that the trade in moss rocks contravenes section 3, section 6(b), section 6(c), section 26(1) and section 26(3) of the Native Vegetation Act, what action will the Minister take to either amend the Act or prosecute offenders and thereby eliminate the double standard which applies at present to, on the one hand, farmers with scrub and, on the other hand, people including landscape architect suppliers, rock traders and local government who dig up and sell rocks covered in vegetation?

The Hon. D.C. WOTTON: I am aware of the representation that is being made on this matter. The Department of Environment and Natural Resources has received representation from a number of different sources, and I note comments in the *Advertiser* this morning about this problem. I understand that in New South Wales artificial rocks are being made for the purpose of work to be carried out in gardens, etc. In South Australia, in response to numerous inquiries from both the general public and other sectors of the community regarding the removal of moss rocks, a number of Government agencies have got together to consider this matter. The agencies involved are the Department of Mines and Energy, the Department of Primary Industries and my own department, the Department of Environment and Natural Resources. The tourism office has indicated that it does not want to be physically represented but wants to be kept informed of any discussions and deliberations that take place.

It is anticipated that these agencies will bring down a report by the end of June. It is important that that be the case, and it is also important that they take a whole of Government approach to their research and findings. I have not had any specific recommendation put to me regarding the need or otherwise for amendment to legislation. I recognise that it is of some concern in the community, and it is my intention to follow that up.

MONTAGUE ROAD

Mr QUIRKE (Playford): My question is directed to the Minister representing the Minister for Transport. What plans have been made on Montague Road between Bridge and Main North Roads, Pooraka? The last Government had assured the community that a dual carriageway with a service road would be provided by, on, or before 30 June 1996.

The Hon. J.W. OLSEN: I will take the question on notice, seek a reply from the Minister for Transport and report back to the House and the honourable member.

SPORTS INJURIES

Mr CAUDELL (Mitchell): Does the Minister for Recreation, Sport and Racing intend taking any action or initiating any inquiries aimed at reducing the element of risk associated with contact sports? On the weekend two young footballers died in Victoria and in New South Wales 54 people were hospitalised, nine of which were as a result of spinal, neck and head related injuries. Calls have been made for the use of shoulder pads and helmets by rugby players because of the claim that a reduction in the risk of neck and spinal injuries would occur.

The Hon. J.K.G. OSWALD: I am aware of the tragic deaths of two young men recently. One died of a heart attack: I understand the media reported that his parents had indicated that he had a heart complaint and knew and accepted the risks associated with playing football in that condition. The other young man died as a result of a collision with another player and the actual cause of death is still to be determined. It has been suggested in the media that Governments should legislate for the wearing of appropriate head gear, particularly helmets, during games. Such legislation has its difficulties and I will briefly quote a paragraph from the Australian Sports Medicine Federation, which put out a press release on 9 May this year stating:

> There is no helmet device which in any way proves to be effective in prevention of head and brain injury in Australian football. Some helmets which have been produced may in fact increase the danger of head injuries. Another aspect in relation to helmets is that they may be hazardous to other competitors in contact sport.

The area of interest to us involves coaches. Coaches should be accredited as part of the training and accreditation under the national coaching accreditation scheme, which involves training in the understanding of injury and injury prevention. Coaches who understand the need for correct physical conditioning and those who can teach appropriate skill development lessen the chance of injury for their players. I point out that coaching accreditation courses are available in South Australia through the South Australian Sports Institute and I urge all sports involved in physical contact to ensure that their coaches are highly trained in this area. It is nice to know that this training is available here in South Australia.

MEDICAL SPECIALISTS

Mr ATKINSON (Spence): Does the Minister for Health intend to cut the conditions and privileges received by specialists and other medical staff described by the Audit Commission as ‘generous’, or is it the Government’s intention that the burden of cuts within our hospitals system will fall entirely on nurses, clerks and other non-medical staff? The Audit Commission noted:

Some groups of staff employed by the South Australian Health Commission attract conditions and privileges that are more generous than the provisions of the Government Management and Employment Act.

Two of the examples given in the report are private practice arrangements for some salaried professional groups and the use of facilities at no charge or at charges less than cost by health professionals to see private patients.

The Hon. M.H. ARMITAGE: First, in answer to the question, the one thing I would say is this: who created the generous conditions? Not I: it was the previous Administration. If there is any blame at all, it lies fairly and squarely with the 10 (it did not take long to count) members sitting opposite. There is absolutely no blame, if any blame is indeed apportionable, on this side of the House.

Mr Atkinson: You are the Government.

The Hon. M.H. ARMITAGE: We are indeed the Government. On 11 December 1993, all 36 of us on this side of the Chamber became the Government. We are indeed the Government. One of the things that is vitally important in the provision of health care in South Australia is that the people who are disadvantaged need the best possible care. It is also fair to say that one of the ways in which those best possible care options can be provided is by allowing certain benefits to accrue to specialists within the public sector, because there are undoubted financial incentives for doctors to be in the private sector. However, many specialists who provide extremely good care for public patients, research and teaching remain within the public sector only because of some benefits, for example, superannuation, long service leave and so on. That is a factor in the provision of the best possible care by some of South Australia's very best specialists in public hospitals.

I am quite happy to look at the implication of the question asked by the member for Spence, but if that means organising an exodus of the best possible providers of service for the people who no longer are given any incentive to be privately insured by your mates in Canberra, if it means providing an exodus of those people from the system and allowing public sector care to deteriorate, I will not let that happen.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. S.J. BAKER (Deputy Premier): I move:

That the eleventh report of the Environment, Resources and Development Committee on Development Act regulations be printed.

Motion carried.

GRIEVANCE DEBATE

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

Mrs PENFOLD (Flinders): I wish to draw the attention of members of this Chamber to research data which shows a very high risk that South Australia's King George whiting fishery could collapse. It is for this reason that I applaud the courageous the decision by the Minister for Primary Industries, Mr Dale Baker, in attempting to close the Coffin Bay waterways to net fishing. The marine scale fisheries were advised by SARDI as far back as 1990 that urgent measures were required to save the whiting fishery. The industry has been told that, to achieve sustainability of the King George whiting population, a need exists to set a minimum safe level of egg production of 20 per cent of the maximum. This figure is an internationally accepted one.

The management options to achieve this level of egg production include a reduction of the fishing effort of around 56 per cent. Current egg production for the King George whiting is very low.

The SPEAKER: Order! There are too many members in the centre of the Chamber. Will they please respect the honourable member who is speaking.

Mrs PENFOLD: Research data by SARDI shows that it is about 4 to 5 per cent of the maximum spawning potential at present. It is the King George whiting that the net fishery targets in the Coffin Bay waterways at this time of the year. The Coffin Bay waterway has been subject to a seasonal closure for many years, opening for netting only on 1 May. Each year the netting and hook fishing effort take these fish when they are about 2½ to 3 years of age. This is before they escape into the deep water to breed.

Fish catch in Coffin Bay by net fishing has increased in the past five years from approximately 25 to 50 tonnes per annum. These beautiful and protected waterways are a major nursery for the King George whiting. Tagging of these fish and subsequent recapture has shown that fish that escape from the Coffin Bay waterways have added to the stocks of fish as far away as Corny Point at the bottom of Yorke Peninsula and Thevenard which, as members know, is near Ceduna. The fishing industry has ignored the crisis in the King George whiting stocks to the point where stern action was required by the Minister for Primary Industries.

Catch rates by experienced hardworking hook fishermen support the SARDI findings. Several years ago, a Port Lincoln based hook fisherman was catching 6 tonnes of King George whiting a year by hand. Now his catch per annum is down to 3 tonnes. His family is now on income support from Social Security to keep food on the table. Is this good fisheries management? This man applauded the Minister's decision and said that he now had a future. He said that the marine scale fishery is dominated by netters and that any arguments to protect the livelihood of hook fishermen are always howled down. Yet, good hardworking hook fishermen based in Port Lincoln have an income as low as $10 000 a year for their efforts, while at Ceduna, where net fishing has been banned for nearly 30 years, the better hook fishermen are reported to be making $50 000 a year.

For the marine scale fishing industry to claim that it is a leader in fisheries management is very doubtful, and for the fishery to say that closing areas to netting will affect the future supply of fish is equally doubtful. The law of supply and demand dictates that, whenever high prices prevail for a commodity, it encourages the production of an alternative. There are fish farm operators who will be delighted at the opportunity to fill the very small void left by the Coffin Bay closure. SAFIC complains that the Government has placed controls on the catching of King George whiting. Many fishermen are, by nature, hunters and gatherers, and without control they would compete to catch the last fish in the sea. A report in the *Port Lincoln Times* of 22 March points to a fishing frenzy which saw about 25 prawn trawlers net tonnes of juvenile prawns near Cowell. It has since been described by fisheries management as carnage. After years of work to develop their prawn fishery management, it was all thrown

out the window. Let us hope that for their sake it does not happen again.

This incident is nothing when compared with what has been happening in the King George whiting industry. Unlike the prawn fishery where there is only one interest group involved, there are many competing interests for the stocks of King George whiting. Many members of the marine scale fishery—

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

Mr FOLEY (Hart): I refer briefly today to the Audit Commission report. The Audit Commission report is the most significant attack on the living standards of rural South Australia in recent history. The Premier will strike at the heart of rural communities when he implements the recommendations of the Audit Commission. The Audit Commission report in respect of what it is proposing for rural South Australia is a heartless and cold document. I would like to know why rural members of the Liberal Party are not up in arms about the recommendations of the Audit Commission report. If members could show us even a quarter of the anger they displayed when the Premier tried to change the time zones in South Australia, just a fraction of that anger, in respect of the recommendations of the Audit Commission report, we might be able to stop what I believe will be a significant and unjust impact on rural South Australia. In comparison with the Eastern Standard Time debate, that issue was nothing compared to the adverse effect that this report will have on rural South Australia.

Let us look at what the Audit Commission recommends for rural South Australia. I refer, first, to the EWS. The Audit Commission report—

Mr Brindal interjecting:

Mr FOLEY: Unlike the member for Unley, I have read it line by line—states that the EWS should achieve a 4 per cent rate of return on assets over the next five years. I acknowledge the Minister's point that that would exclude some capital infrastructure costs but, in the main, we are talking about a significant increase in the rate of return on services provided to rural South Australia. At present there is a 2 per cent negative rate of return. People in metropolitan South Australia subsidise rural South Australia to the tune of $54 million. Cliff Walsh and his colleagues say that that is not good enough, that you must take off the subsidy to rural South Australia. But where are the Liberal members who should be standing up for rural South Australia? The only member who gets near it is the member for Giles. We are talking about the privatisation of huge maintenance functions of the EWS. That will mean the closure of rural EWS depots and further job losses.

Let us look at what the Audit Commission report proposes in respect of ETSA. Again, it says that we should eliminate the cross-subsidisation to rural South Australia, which at present involves some $60 million. Where are the rural members? Why are they not lobbying the Government? Why are they not saying in this Chamber, 'Don't implement those recommendations'? We are talking about an impost of well over $100 million in respect of only electricity and water—an impost on rural South Australia in excess of $100 million in two areas of Government alone. Members cannot say that that is not correct because it is in the report. I suggest to members opposite that they read the report and its recommendations.

Mr Scalzi interjecting:

Mr FOLEY: Yes, the member for Hartley—read the recommendations. The honourable member seated next to him should be extremely concerned about what is proposed. We are talking about the possible closure of the Leigh Creek coal mine. What sort of impact will that have on the rural residents of Leigh Creek, and where are the members who should defend the rights of the rural community?

We have seen it with SACON where regional offices are to close. We will see the closure of regional offices of the Housing Trust. We are seeing a wholesale attack on rural South Australia. I do not come from rural South Australia, and I acknowledge that my Party does not have as many members who represent the rural area as does the Liberal Party but I, for one, will stand next to the member for Giles and defend rural South Australia when members opposite are silent. If the members with seats in rural South Australia were fair dinkum about defending their electorate, they would worry less about the time zones in this State, which is irrelevant when compared with the impact of the Audit Commission report—up $60 million in electricity charges, and up $50 million when it comes to water.

Mr BRINDAL: I rise on a point of order, Mr Speaker. Is the member for Hart referring to a previous debate when he refers to time zones; and, if so, is it not out of order to refer to a previous debate?

The SPEAKER: The member for Hart is speaking in general terms; therefore, he may continue.

Mr Caudell interjecting:

Mr FOLEY: Thank you for your protection. I must—

The SPEAKER: Order! The member for Mitchell is completely out of order. The honourable member's time has expired. The member for Hanson.

Mr LEGGETT (Hanson): During this parliamentary session much has been said regarding some of the difficult problems that are faced by this Government. Not only does this State have a catastrophic debt to overcome but the Government is challenged by the increase in crime, violence and youth rebellion. I draw the attention of this House to the fact that the State debt coupled with family breakdowns and the increased crime rate presents a fearful picture for the future. Not only must we take steps to correct the economic position of this State but also we must take positive steps towards solving the escalating crime rate and the disintegration of the family.

This is the Year of the Family and the centenary of women's suffrage. Much has been said about this, but I believe the combination is significant. We have a unique opportunity to look at productive ways in which some of these problems can, and indeed must, be tackled. For too long now we have blindly accepted the so-called liberation of standards in society as healthy, mature and progressive. Although there has been much more openness and honesty, the thing that concerns me is the lack of accurate appraisal of what these changes have actually achieved and whether they have been conducive to society's overall good: I think they have not. Although most people can see the damage that some past legislation has created, many are afraid to say anything for fear of being prudish or, shall we say, wowserish.

I do not wish to see a return to puritanical legalism, but we must have social reforms for the disadvantaged, the unemployed and the victims of social abuse. We cannot continue to band-aid problems and expect them to disappear magically.

We must get back to basics, and that includes the family and attitudes towards men, women and children.

What has been happening to us over the past years? We are naturally, I believe, very self-centred. The great Aussie saying, 'I'm all right mate,' has been the catch cry since we were first settled—in the convict days when Australia was a place for the survival of the fittest. South Australia was settled by families of farmers and businessmen, and Adelaide traditionally has been called the city of churches. Yet now we are one of the worst States for crimes and bankruptcies, we have had 11 years of Government failure (until 11 December) and we are especially renowned for the breakdown of families.

So, we have arrived, and what a mess we have made in arriving. Society, because it has forsaken traditional Christian values, now lives on getting kicks, whether through drugs, pornography, vandalism or graffiti, etc. Thrill seeking with absolutely no responsibility is regarded as quite normal. Many of our youth have been brought up in family isolation. There is an appetite for violent films and video games. The youth have been forced by peer group pressure to take risks in seeking new experiences regardless of the consequences.

We have already experienced the tragedy in this State of a man attempting to murder a woman just for the experience of what it feels like. These problems are the dilemma which western society is facing. I draw the attention of this House to an article entitled, 'Where did our conscience go?' by Charles Colson, a well-known American and founder of the Prison Fellowship in the United States.

An honourable member interjecting:

Mr LEGGETT: Indeed. He states:

> In Miami, as a German tourist was driving through the streets, her vehicle was bumped from behind by a couple of young hoods. They pulled her out of the car, robbed her, and then as if for sport, ran over her in front of her three children and her mother.

There are other examples which I will continue on with in a grievance debate tomorrow. Mr Colson goes on to say:

> Crime used to have a motive—greed, avarice, anger or passion. Today it's sport, it's fun. We are witnessing in America—

and it will be the same in Australia—

> the most terrifying thing that could happen to a society—the death of conscience.

The SPEAKER: Order! The member for Florey.

Mr BASS (Florey): I rise on a matter which should concern not only this House but all of South Australia. Back in October 1991, the Drug Squad, in an undercover operation, arrested three male offenders for trading in heroin. They recovered some 11 weights of heroin and charged the offenders. The three offenders sought legal aid, which was given to them, and at the committal proceedings, some 18 months later, they were committed for trial to the Central and District Criminal Court. In March this year, the offenders applied to the court to have the case adjourned *sine die* on the ground that they would not get a fair trial. It appears that after the committal the Legal Aid Society looked at the facts and said, 'You're guilty; we can't defend you.' So, these offenders applied to the court on what is known as a Dietrich application submitting that they could not have a fair trial.

Two days ago, the judge adjourned the case to leave it on the list indefinitely. This means that a very costly Drug Squad operation, where a young detective risked his life to act as a drug dealer and user and actually went and bought heroin from these offenders, was wasted. They made the arrest (you might say the offenders were caught red-handed), and the case proceeded as normal. A High Court judgment, *R v. Dietrich*, 109 Australian Law Reports states that, if an accused is unable to receive or did not receive a fair trial, then in such a finding the case should be adjourned. Anybody could use this method of evading justice. If I now wished to go and commit a murder, I get caught, the evidence is such that it is definitely proven that I am guilty, the Legal Aid Society says that it will not defend me, and I have no money so that I can brief my own lawyer, then by way of a Dietrich application I can have the case adjourned *sine die* (which for those who do not understand Latin means indefinitely).

This is an absolutely disgraceful situation. I bring it to the attention of this House and I hope to the public so that the people in power may well decide to allocate some legal representation to these people so that the case can go to court, the people can face their just deserts and, if they are guilty—and in this case the evidence points to their being so—they can be dealt with according to law. If the present system is allowed to continue, the children and youth of South Australia will be subject to unscrupulous drug dealers who will go out and sell heroin to our children and nothing will happen.

Mr Atkinson: Are you saying some drug dealers are scrupulous?

Mr BASS: It just shows how much the member for Spence considers the future of our children when he can poke fun at such a serious matter. It just reflects exactly what the Labor Party and you, the member for Spence, think about drug dealers.

Mr Atkinson: You have difficulty with the English language.

Mr BASS: I have difficulty with the English language, I do not deny that. However, I am concerned for the future of the youth of South Australia, something that the honourable member obviously is not. As I said, I consider that this is a travesty of justice, and I hope that it never occurs again in the future.

Members interjecting:

The SPEAKER: The member for Elizabeth. Order! The members for Wright and Spence will not have a conversation that will disrupt the member for Elizabeth.

Ms STEVENS (Elizabeth): Thank you, Mr Speaker. I want to speak about the review of the 1993 SSABSA results procedures. As a result of problems experienced with the 1993-94 results release cycle, the Senior Secondary Assessment Board of South Australia, at its February 1994 meeting, set up a review of SSABSA's 1993 results procedures to report to the board at its April meeting. The review was about the management of the 1993 results processing cycle, not in relation to SACE itself. It was undertaken in the context of 1993 being SSABSA's involvement in the first set of SACE results, requiring it to generate results for stages 1 and 2 students and within stage 2 to manage the process for a diverse range of 11 categories of student, each with potentially different aggregations in higher education score calculation procedures.

Also, it happened at a time when SSABSA increasingly was involved in calculations of higher education entry and flow-on work from this task. It was a complex and difficult task but at the same time a crucial one affecting the future of thousands of our young people, and one which must be done with accuracy and within a critical time frame. Ten major categories of recommendations were presented to the

SSABSA Board at its meeting on 27 April, the first of which was results integrity. The report recommended a systematic review of the 1993 results, with all errors identified and corrected, and strategies to handle consequences of corrections and inquiries that will follow this review.

The second category was collection and confirmation of the results data. The report identified SASO, the software package for data management, as a major issue and a major source of errors. A number of recommendations were made, including a recommendation that a new electronic database management system be designed, developed and thoroughly trialled, addressing the needs of both the authority and schools, with input into this process from all user groups.

The third category was that the information systems issues be reviewed. This included a major overhaul of the Information Systems Branch in order to implement an appropriate methodology and client service strategy.

The fourth set of recommendations dealt with communication with schools, recommending central coordination and taking into account schools' organisational structures and processes. Management structures was the next group, and the report noted widespread staff frustration and loss of morale. Management of the results processing was perceived by staff as not providing the tight supervision and coordination required during the critical weeks of the SACE cycle. It also noted lack of clarity between the determination of policy and the implementation of this operationally.

The sixth area was resourcing implications. The report noted under-staffing in the Information Systems Branch and recommended improvement of the skills profile in some branches. It recommended an audit of skills to be undertaken, with a short-term increase in resourcing to facilitate the implementation of recommendations with particular funding implications to be addressed in relation to the SASO software package.

The seventh group involved timelines and determination of ways of reducing the intensity of the late December-January period. The eighth set of recommendations referred to the results release procedure; the ninth, to specific curriculum matters; and the tenth, to the dual reporting system in regard to SACE and the higher education entry scores.

The committee prioritised those recommendations for action, saying that decisions in relation to the use of SASO and the development of a new software system was a very high priority. It listed consultation and coordination processes between SSABSA and its client groups as being important, and also staff consultation and management and action on the dual reporting issue. The situation that occurred must not occur again. The whole of SACE, and with it the future of our young people, is put at risk when the system does not work. The recommendations must be implemented and resources forthcoming to support the implementation, particularly of those relating to the redevelopment of SASO.

Also, issues in relation to management structures and staff morale must be addressed because they are crucial to the implementation of the other matters. I have been informed that a number of decisions were taken by the Director of SSABSA, with the approval of the executive, to begin implementation of these recommendations, but they were taken before the full board had even read the final recommendations.

The SPEAKER: The honourable member's time has expired. The member for Lee.

Mr ROSSI (Lee): My grievance speech is about the parking of vehicles by people who attend Crows matches at Football Park. I have received many complaints from constituents about vehicles being parked on their private front lawns and at the entrances to their garages. These constituents have apparently contacted the administration of Football Park and requested that an announcement be made over the loud speakers for vehicles to be removed, but they have come up against comments such as, 'We're too busy. We can't put an ad over the speakers for cars to be removed from driveways.'

The police have attended the West Lakes area because of complaints from residents and have removed vehicles parked on median strips and within two metres of driveways; but, when it comes to vehicles parked on private land, they have said that their hands are tied. I have read the Private Parking Act, and it contains nothing which would empower the police to tow away vehicles. However, section 86 of the Road Traffic Act allows police to remove vehicles which obstruct traffic.

I believe that one side of the road should be reserved for parking. I would like the Hindmarsh-Woodville Council to erect tow-away signs on the opposite side of the road so that vehicles parked there will automatically be towed away. I also recommend that council traffic inspectors, who I have been told normally stop work at 9 o'clock in the evening, be allowed to work right through to 11 p.m. so that they can continue booking vehicles parked improperly in the streets of West Lakes.

The problem is not only the parking of vehicles: when vehicles are parked on both sides of a road there is little room for ambulance, fire brigade or police vehicles to attend an emergency in the area, particularly where there are no through roads or *culs-de-sac*.

Further, although there are very good bus services for spectators at Football Park, I believe there should be improved bus services along Port Road and Old Port Road for people going to the oval, so that people parking their vehicles in the median strips and along these roads—

Mr Atkinson interjecting:

The SPEAKER: Order! The member for Spence—one interjection.

Mr ROSSI:—could be picked up.

Mr Atkinson interjecting:

The SPEAKER: The member for Spence again—the second time.

Mr ROSSI: Thank you, Mr Speaker. I have finished my remarks.

STATUTES AMENDMENT (CONSTITUTION AND MEMBERS REGISTER OF INTERESTS) BILL

Consideration in Committee of the Legislative Council's message—that it had disagreed to the House of Assembly's amendments.

The Hon. S.J. BAKER: I move:

That the House of Assembly insist on its amendments.

Mr ATKINSON: It seems to me that there are two elements in the Bill. The first element is to abolish the disqualification of House of Assembly members owing to dual citizenship. That element affects a number of members of the House including the member for Gordon, the Minister

for Primary Industries and me, just to name a few. It is an important change to the law. The second element of the Bill was originally to sweep away the concept of office of profit under the Crown as disqualifying members of the House of Assembly, and there is a dispute about the extent to which we sweep away office of profit under the Crown.

The Liberal Government wants to sweep it away altogether, while the Labor Party and the Democrats want to retain a fraction of the idea and make Ministers and members of Parliament accountable for their pecuniary interests and contracts—any contracts they, their firms or relatives may have with the Government. It would seem to me to be a sad outcome if the first element of the Bill were lost because of quibbling about the second element. So, I rise to urge the Minister to be flexible.

The Hon. S.J. BAKER: I thank the honourable member For his contribution. I am very flexible, and that is why I am insisting on the amendments. As the honourable member would recognise, we visited this matter previously when we discussed the amendments moved in another place. I have a great deal of sympathy for the amendments. They attempt to resolve the issue of conflicts, where members of Parliament should not be allowed to get special privilege from the Crown. However, that is what the amendments do—they place all members of Parliament in a very precarious situation. Therefore, I suggest that the honourable member use his wise counsel with his colleagues in another place.

The issue of conflicts with the Crown or conflicts of interest, as the honourable member would well recognise, is likely to be raised in this Parliament, if any member of this House transgresses the principles that we have enunciated. That will be a check and balance. Whether there should be a greater check and balance in the system by the insertion of further clauses, no-one has yet been able to come up with a satisfactory answer, and that is why we have taken out those clauses. It is not through any desire to reduce the level of scrutiny and accountability; it is simply that the existing provisions place all members at risk. Indeed, it could well be that the amendments moved in another place make it even worse, so I ask the honourable member to counsel his colleagues in another place. They may wish to consider—and we certainly would consider the same thing—what other form of amendment may be appropriate under the circumstances.

Motion carried.

CRIMINAL LAW CONSOLIDATION (CHILD SEXUAL ABUSE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 4 May. Page 1005.)

Mr ATKINSON (Spence): The Labor Opposition introduced this Bill in another place. It was designed to overcome an interpretation of the High Court on a criminal appeal. In that case a new trial was ordered by the High Court on appeal from a conviction for incest. The accused had been convicted on three counts of incest alleged to have occurred between 1975 and 1983. The prosecution was unable to say on which dates the offences occurred. Clause 3 of the Bill puts a new section 74 into the Criminal Law Consolidation Act to create an offence of persistent sexual abuse of a child. The elements of this offence are sexual offences against a child on at least three separate occasions on three separate days. The charge need not specify a date on which the sexual offence occurred.

The Opposition understands the danger to justice in creating an offence such as this. It is important to the rule of law that an accused know the particulars of the charge against him with reasonable certainty, so that he can answer the charge. The proposed offence is hedged about with limits, conditions, warnings from the judge to the jury, and the exclusion of other charges if the charge under this provision fails. With those qualifications, the Opposition supports the Bill.

Mr ASHENDEN (Wright): Like the shadow Minister, I will be brief. I want to speak on the Bill because of the very close contact that I have through my wife in terms of the problems of child abuse in the community. My wife is a counsellor at one of the northern primary and junior primary schools, and some of the matters that she has to handle, and some of the appalling actions taken by adults against children, who are so innocent, absolutely appal me. Additionally, I have at the moment in my electorate a couple who are suffering extreme trauma, as are two of their three children, because they have just discovered that their children have been the victim of sexual abuse by a very close friend of the family. I have now seen at first hand the impact that this type of offence has on a family.

This is a beautiful family, and to see how distraught the parents are and the impact this has had on the children makes it essential that legislation of the type now before us be passed in this House and that the actions that can be taken against the perpetrators truly fit the actions they have taken. It absolutely horrifies me when I hear of some of the actions that adults take against innocent children. The other thing that I just cannot understand is how often these actions are taken by members either of the immediate family or of the close family or, in many cases, in situations where there is a step parent and/or a change in a relationship, where perhaps a de facto has moved into the family situation.

I know only too well, from the discussions with my wife about the work she is doing, of the tremendous problems that exist out there and the frustrations the police feel. One thing I want to pass on here is that the family to which I referred within my electorate, on behalf of whom I am presently making representations, have said how impressed with and how thankful they are to the South Australian police for the way in which they have handled this problem. They have given the family tremendous support and they have nothing but praise for the way in which the police have handled this matter. They do have criticisms, however, in other areas, such as the support agencies, in terms of counselling.

The counselling this family so desperately needs is just not available to them because, ironically, it was put to them that they have handled the matter so well that the counsellor's time must be used on families who are unable to handle a trauma as well as these people have. The other area of very real concern that my constituents put to me is what they feel is the inadequacy of current sentences, and again I am glad to see that this Bill will take steps to be of assistance in that area.

Mr Atkinson interjecting:

Mr ASHENDEN: I did not think the honourable member would interject in a matter as serious as the one before us, but I believe that this will provide additional assistance in the areas to which I am referring, in terms of the impact on families. That is what I have been addressing, and I was merely making the point that the other concern my constituents have is in relation to the sentencing. If I did not express

myself clearly, I am sorry, but there is another concern that my constituents have, and I repeat it, that is, in relation to the sentences that have been handed down. I do know that there is other legislation—I am sorry if I dropped that word—that this Government is introducing that will cover that situation.

The person to whom I am referring has admitted to a 20-year history of child molestation. Incredibly, that person will be out in society again in 2½ years. As I said, I am sorry if I did not express myself clearly. This Bill certainly addresses a very serious issue in our community, and it will be backed up and supported by other Bills and actions that the Government is presently undertaking. I know that many people in the community will be very pleased when these Bills, in their entirety, have passed through this place.

Mrs ROSENBERG (Kaurna): I support the introduction of this legislation, which will address a problem that has arisen in prosecuting adults who sexually abuse children repeatedly over a period of time. Often juveniles, because of their immaturity, cannot remember things like dates, times and places of isolated events of sexual abuse that have occurred on multiple occasions over an extended period. The need for law reform was highlighted in a High Court case, which I will refer to as the *S v R* case but which is probably better known as the Shaw case. A new trial was ordered because there was uncertainty as to the dates and circumstances surrounding each of the particular events of abuse.

The accused was charged with three counts of carnal knowledge of his daughter. Each count charged one act of carnal knowledge on a date unknown within a specified period of 12 months. The daughter was unable to describe the initial act of a sexual kind which the defendant had committed with her and also the first occasion on which he had had sexual intercourse with her. Her evidence was in general terms and she could not specify any dates or any particular circumstances. It was asked that this case be dismissed and that a new trial be set. In a later case of Podirski, the Queensland Chief Justice commented:

> Unless the law is changed there is a possibility that the more acts of intercourse or other acts of sexual abuse and the greater the length of time over which they occur, the more difficult it may be to establish that any one of a series of multiple offences has been committed. Some reform would seem desirable to cover cases where there is evidence of such course of conduct.

This proposed legislation brings South Australia into line with some other States. Queensland legislation—the Criminal Code Act 1899, section 229B—was enacted by the Criminal Code, Evidence and Offer Acts Amendment Act 1989 (No. 17). Section 229B of that Act provides:

> Any adult who maintains an unlawful relationship of a sexual nature with a child under the age of 16 years is guilty of a crime and is liable to imprisonment for seven years.

The offender must have committed the offence on three or more occasions, and evidence of doing so should be admissible to indicate the maintenance of a relationship, notwithstanding that the evidence does not disclose the dates and the exact circumstances of those occasions.

Mr Atkinson interjecting:

Mrs ROSENBERG: Be quiet, you silly little man. The Western Australia legislation—the Criminal Code 1899, section 321A—was enacted by the Acts Amendment (Sexual Offences) Act 1992 (No. 14). Section 321A(1) of that legislation provides:

> For the purposes of this section a person has a sexual relationship with a child under the age of 16 years if that person, on three or more occasions each of which was on a different day, does act in relation to the child which would constitute a prescribed offence.

The Act needs some changes, particularly in our case, to bring us in line with those changes that have been made in other States. It will be necessary to specify times, dates and circumstances of at least three occasions.

I would like to divert a little from the specific legislation to make mention of a couple of articles that appeared recently in the *Advertiser*. I do so because the mother in this case contacted my office about these events as her children live within the electorate of Kaurna. I refer to the *Advertiser* of Wednesday 30 March and Monday 4 April 1994. In this case, the stepfather of two girls now aged 15 and 17 years, in the mother's words, tortured the children for eight years and for that crime he received six years imprisonment. Judge Allen then imposed a non-parole period of 4½ years.

During the trial, the girl now aged 15 years told the court that the abuse had started when she was three and stopped when she turned 12. The girls were abused by the de facto husband, who was sentenced to only six years gaol with a non-parole period of 4½ years. When the mother visited me in my office she said that the girls have been sentenced to life by the action of this man. She cannot put aside their sentence of life for his sentence of 4½ years.

In handing down the sentence, Judge Allen made the comment that the jury, 'must have been satisfied the offences occurred against a background of sexual activity with each girl over a number of years.' I would like to submit in my argument that, if he had directed the jury to take account of that and then his sentence was 4½ years, perhaps Judge Allen erred slightly in taking the same situation into account himself.

There is certainly some need for changes to the legislation; that has been clearly demonstrated in other States. The Shaw decision, to which I referred previously, made it very difficult to prosecute a sexual assault case successfully under the existing law where several situations might occur: first, the victim is very young at the commencement of the period of violation; secondly, those violations may have occurred regularly over an extended period; and, thirdly, there is no distinction between the separate violation—

Mr ATKINSON: Mr Deputy Speaker, I rise on a point of order. I understand that the High Court case, the interpretation of which this Bill is intended to reverse, was a case where the name of the accused and the defendant were suppressed in order to protect their identity. If the member for Kaurna continues to use a particular surname in respect of the case, can she assure the House that in doing so she is not revealing the surname of the parties to that case?

The DEPUTY SPEAKER: The member for Spence may have a perfectly legitimate point of order. As a matter of fact, just at that moment the Chair was checking Standing Orders to see whether there was any provision within them for reflection upon court cases or the judiciary. So far I have not discovered it. However, it did trouble me when the member for Wright was speaking, because he adverted to information that emanated from his spouse. I listened very carefully, and he made no reference to children or cases by name.

As a matter of fact, the reference to Judge Allen in the member for Kaurna's comments was troubling me. I had intended, on perusing the Standing Orders, just to satisfy my own curiosity, to ask all members, in view of the extreme sensitivity of this matter, to ensure they did not bring into question any judgments made that may be under appeal or

refer by name either to the judiciary or parents or children who may be involved in current cases. I ask members to observe that as a matter of procedure, particularly the member for Kaurna.

Mr ATKINSON: My worry is that the name is now on the record. If that is indeed the name of the family who provided the parties to the case—

Mrs Rosenberg interjecting:

Mr ATKINSON: Can I have an assurance that it is not their name?

Mrs ROSENBERG: The only name I have mentioned is that of Judge Allen, and it appears in the *Advertiser* article.

The DEPUTY SPEAKER: I note that the honourable member is reading from a newspaper.

Mrs ROSENBERG: I have not mentioned the family name at all. The only name I have mentioned is that of Judge Allen, and that appears in the *Advertiser* of Monday 4 April 1994. It is a public document. No family name has been mentioned. I have far more respect for the members of my electorate than to do such a thing. Are we happy with that? Shall I continue?

The DEPUTY SPEAKER: I will conclude my own remarks if the honourable member will be seated. I noted that the member was reading from a newspaper and that therefore the information is in the public domain. The fact remains that the case may still be the subject of an appeal, and the honourable member should be sensitive to that.

Mrs ROSENBERG: I was in the process of describing four reasons why a previous decision would make it difficult to prosecute on the basis of extended sexual assault cases. The third one I mention is that there was no distinction between the separate violations. The fourth is that no complaint had been made for some time after the commencement of events. Those four circumstances put together has created a situation where, if there is not legislative change, it will be extremely difficult to take people to court against a background of prolonged sexual abuse.

The safeguard of the abuse provision in this legislation is that the indictment must be approved of and signed by the Director or Deputy Director of Public Prosecutions. I have no problem with that being included as a safeguard. The last thing we want to do is to introduce legislation that makes it extremely easy to take someone to court and have them convicted wrongly. I support the Bill.

Ms STEVENS (Elizabeth): Sexual abuse is one of the most insidious forms of abuse that exists in our society. It is important to understand the nature of it and the power relationship between the victim and the perpetrator, and that mostly it does not occur once but happens systematically over a period of time, sometimes years, often by people well known to the victims who occupy a position of trust with respect to the victim. In the early 1970s we began to acknowledge sexual abuse as a significant problem in our society affecting many people from all walks of life. Previously it had been hard to detect and hidden in a veil of silence so that it could not be detected and dealt with. The Community Welfare Act 1972-1975 introduced mandatory reporting which required certain categories of people to report suspicion of sexual abuse to welfare authorities. This Act was amended in 1981 further to increase categories of people able to report suspicion of sexual abuse.

This ensured that the abuse of children was drawn to the attention of Community Welfare authorities and involved the need for more State intervention in family life. The Child Protection Bill 1993 addressed much of this. Other programs, for example protective behaviours, were introduced in schools and helped children to gain skills and confidence to take action to change situations where they were being abused. There was also significant training and development for social workers, doctors, nurses, teachers and other workers to enable them to deal effectively with the issue.

This Bill, however, relates to the prosecution of the perpetrator. Laws have been put together in our society from an adult point of view—an adult construct. That is, they operate from a basis of adult thinking patterns, logic, and memory associated with the adult stage of development and operation. In these cases, the victims are children, and their stage of cognitive development means that they perceive and remember things in a different way. When they are called upon to give evidence in a court of law that is based on a different framework from that in which they operate, their evidence often does not fit. It is not that they have no recollection of the events but that the nature of their recollection is different and does not fit established rules. Therefore, their evidence has often been discounted and perpetrators have gone free even when juries have accepted that abuse has taken place.

This is particularly true in the case of sexual abuse where there are almost certainly no other witnesses to the events—where the events have often taken place over a long period of time, sometimes years, before the case has been heard and where the events are very traumatic for the child and it is extremely difficult for them to recall some of the details required. What has happened in too many cases is that the perpetrator has gone free and the child returned to the situation where abuse has occurred or is still occurring, even more powerless than they were before. There has been a significant miscarriage of justice caused by the construct of our laws.

Legislation has been introduced in all Australian States except the Northern Territory to deal with this. In late 1993 the South Australian Director of Public Prosecutions requested that legislation be introduced here as a matter of urgency. The former Government did so just prior to the 1993 election. The amendment seeks to redress some of the imbalance and to even up the scales of justice in favour of the child in cases of multiple offences. It does this by allowing some latitude in the requirements needed to establish persistent sexual abuse. In doing this, it does not prejudice the rights of the accused to a fair trial. I support the Bill.

Mr CONDOUS (Colton): I support this Bill and will say a few additional things, because I believe there is a need to look even further than the provisions of the Bill. I must admit that I lived in a home that was surrounded by very good parental guidance and great love. I suppose I became isolated in a cocoon, thinking that because I lived in that sort of safety the rest of the community and children did likewise. I was brought back to reality very quickly only five days after becoming Lord Mayor when I went to the local delicatessen to buy the *Sunday Mail* and read on the front page that the street worker for the Service to Youth Council in Hindley Street believed there could be anything up to 300 young children prostituting themselves in an endeavour to survive on the streets as street kids. I found this difficult to believe in a city such as Adelaide.

I approached the street worker who in those days was a fellow called Joe Wakim. He was a very respected street worker who had been appointed by the Service to Youth

Council and who had enormous support from children in the street. On the first night I can remember going out at about 9 p.m. and some five hours later, at 2 o'clock in the morning, picking up a young girl called Rachael who at that stage was 14 years of age. She had not had a meal for something like three days, so Joe and I took her to McDonald's to give her something to eat in the early hours of the morning. I asked her what a 14 year old was doing in Hindley Street at 2 o'clock in the morning. She said, 'Steve, before you proceed—and I know you will try to tell me to go back home—I must tell you the story of my life.'

She then proceeded to tell me that she had a young brother and lived with her mother. The father had abandoned the family some two years before. The family had found it very difficult to maintain mortgage repayments and at the same time send both children to school while the mother went out and worked night shift at a factory at O'Sullivan Beach. The mother decided to take her de facto partner into the home. Everything went well for about three months but, because the mother was working odd weeks on night shift, the de facto decided he did not want to sleep on his own and the best thing he could do was to share his bed with Rachael. He proceeded to sexually abuse her over about six months.

Young Rachael tried to keep it to herself and say nothing during that period but eventually went to her mother and said, 'Look Mum, this is what is happening and I cannot do much about it.' The mother said, 'I always suspected something was going on, but we have started to get out of our financial problems; we are starting to catch up on our back mortgage payments. What about tolerating it for another 12 months until we get ourselves back on line and we will throw him out after that?' To me that was an enormous shock and something I could not handle. I could not come to the realisation that a mother would tell her own daughter to continue to allow herself to be sexually abused within the family home simply so that they could catch up with their debts and do something about it. It was fortunate that a prominent businessman in this town, a multi-millionaire who had come from an orphanage, was so touched by the story that he financially supported Rachael's living with two young ladies whom I knew from a department store in the city. She went back to school and did her matriculation and today works as a secretary for a major South Australian company.

Another story I heard only a month later involved a young girl of only 15 years who was in Hindley Street. She told me that her father had been sleeping with her since she was 11 years old and that the father also made the mother sit on the lounge and watch it all happening with the threat that, if she dared to tell anyone or complained about it, he would blow out her brains. To try to keep harmony within the family unit, the daughter decided to tolerate the sexual abuse because she knew what the father was capable of doing. The end result was that the girl tolerated this for some four years until one night the father decided to bring two of his mates from work so that they could all indulge in sexually abusing the young girl. At 3 o'clock in the morning she took stock of herself and, because she could not stand it any longer, opened the bedroom window and fled, never to go back home again.

I was so shocked and alarmed that I proceeded to go out and canvass some 70 South Australian companies, which donated between $5 000 and $10 000 each and enabled me, with the cooperation of the then State Government and the Adelaide City Council in regard to donated land, to build a house in the city in Frew Street which today houses 16 young women in crisis accommodation. I am still chairman of the board of that home.

It amazed me, after having gone through that experience, to find that, every time I talked about street kids, the general comment from 95 per cent of adults in the community was, 'Why don't you kick them in the behind and send them home?' No-one had any idea that 95 per cent or more of these children were out on the streets only because in their own family environment they had experienced physical or sexual abuse. Half the problem with the community today is that people do not understand because they have never been through the experience.

In the early part of my experiences as chairman of the board, I was horrified by the constant stories I was hearing. Today I hear them and, while I feel tragically upset about it, I am starting to become hardened to these types of stories, simply because I believe that nothing is impossible. We have a section of our community which, tragically, for their own sexual gratification will abuse children on an ongoing basis for their own self-satisfaction, and nothing is too great.

There is a case before my electoral office at present. I know the mother and the child involved—both decent people. The child is a beautiful child, now eight years old, and was abused at five years of age. The mother separated from the father and the father had custody on the weekend. He decided to palm off the child to the grandparents on an ongoing basis. The grandparents commenced by making the young granddaughter watch them having sex but it advanced to an ongoing situation—they were both involved in witchcraft and the occult—where they penetrated the child's vagina and hymen and collected blood for a ritual. The case is now before the police.

What angers me more than anything is that, when these children go into court, smart solicitors and barristers cross examine them as though they are mature people of 40 or 50 years of age with enormous experience. They go through a process of trying to break down the child, demoralising it and abusing it to the stage where the child loses all confidence in being able to give any proper evidence. The system by which we put these children under enormous pressure is wrong. I know that in this case the child has changed her story on one occasion because the grandparents, fearing reprisals, offered to buy the child a pony and keep it on the property provided she changed her story. In so doing the law, or the solicitor representing the grandparents, suddenly found the flaw and was able to say that the child did not know what she was talking about as she had already changed her story.

My honest belief is that this community in which we live is thoroughly fed up with the constant cases of abuse against minors and children, perpetrated by both men and women. It is not isolated to one sex, although in about 80 per cent of cases it is males who offend on a constant basis. It has got to the stage where a group of people believe there is nothing morally wrong with sexually abusing children on a regular basis. That is the unbelievable part of it all. We say that it is tragic and bad and that we must do something about it, but the community has not yet realised the damage that is done.

I look at children and think that the great bond created between a child and its parents can be so easily damaged. The damage is not only between the child and the parent: it eventually reaches a point where the child does not trust anybody for the rest of its life. About three months ago, a woman who knew that I was involved with the home for young girls came to me and said, 'Steve, do you know that today I have one of the most wonderful husbands that any

woman could want. I have three children who are the most beautiful children I could ever want. I have a beautiful home and everything that any woman could ever wish for, but the one thing that has scarred me for life is the fact that I was sexually abused at 12 years of age.'

It is not simply the offence and putting away the offender that counts: it is the damage done to that child for the rest of its life. It is difficult to eliminate the hurt, pain and crisis that child has been through. Let us support the Bill but let us also look at the method (and I ask the Attorney-General to do this) by which we cross examine these children in the courts when we want to bring the offenders to justice. I finish by saying that I know there will be bipartisan support, because we all care for our children—for their welfare and their safety. I support the Bill wholeheartedly.

Mr SCALZI (Hartley): I also support the Bill. I do so as the parent of three children, as a teacher and as a member of Parliament. Children have a right to dream, to feel secure and free, to be children and to be masters of their childhood realm. Unfortunately, this is not always the case and it is a sad reflection on our society that the problem exists to this extent. I often wonder whether it is just reporting or whether it does exist. When I reflect back on my teaching days—

Mr Atkinson: Reflect is sufficient; not reflect back.

Mr SCALZI: If the member for Spence would stop grooming his thesaurus—

The DEPUTY SPEAKER: Order! The member for Spence is to be ignored.

Mr SCALZI: —and stick to the point, we could get on with the debate. The problem exists to an extent that no civilised society should tolerate. Whether it is less now than it was in the past because it is reported more, and so on, is irrelevant. Any abuse or sexual abuse of a child is to be deplored, and anything that can be done to alleviate the suffering and emotional crippling that occurs in children should be commended. For that reason I support the Bill.

I am, as I said, very much aware of this problem, and I am also aware of the good work that the Education Department and the Department for Family and Community Services (FACS) have done in this area in programs such as the Feel Safe program and sexual harassment programs, etc., general programs which have made children aware of their right to report these sorts of hideous acts that have been inflicted upon them—and that has occurred. In my years as a teacher I have noticed that children have become more aware of their rights and freer to report. As I said, that is good, and it should be commended.

This is a very sensitive area, and we must be careful to protect the rights of all individuals involved, but I think the rights of children should be paramount. This Bill is headed in the right direction. It makes it easier for children to give evidence. They will not have to give precise detailed evidence because, after all, they have suffered enough. It will also make it easier to prosecute the people who commit these offences. For those reasons I fully support the Bill. As the honourable member before me said, we have adopted a bipartisan approach. It is important that all members as legislators deal with this serious problem. I agree with the member for Colton that it should be followed up in the best interests of children and the well-being of the community.

Mr WADE (Elder): The member for Colton has given graphic examples of child sexual abuse. I concur with his comments. My wife and I were members of a FACS group called INC (Intensive Neighbourhood Care). Over a 10-year period we had more than 80 children in our home; children who had run away from their own home or from the care of the department. Over that period virtually every single one of these runners had been sexually abused by a parent or a relative. To return home was to be thrown back into their own private hell.

A few years ago I conducted a meeting of about 70 women. When they were asked to raise their hand if they had been sexually abused as children, slowly but surely 69 hands went up. The woman who did not raise her hand told me afterwards that she was too ashamed to admit that she had been sexually abused as a child. Arguments have been put forward by my colleagues on both sides. My final comment is that I look forward to a society which has as its members adults who have not been abused as children. This Bill takes one small step towards that objective.

The Hon. S.J. BAKER (Deputy Premier): I thank all members for their contribution to this Bill. I appreciate the sensitivity with which it has been dealt and which it deserves. In parliamentary life we have all become aware of incidents such as those that have been described in this House. They are very unfortunate for the children concerned, and every member of this House would wish that the perpetrators pay the ultimate penalty possible for the damage they have done.

Most of the issues have been canvassed. A number of comments were made during the debate about the way in which these issues are treated in the courts. The previous Government, to its credit, implemented a number of measures to protect children from harassment during the giving of evidence. Is to be congratulated on the steps it took to allow evidence to be taken in a more conducive environment and to ensure that cross-examinations that were conducted did not allow the harassments of the past. It is very easy to confuse a child simply by testing that child's memory. Sometimes that memory may go back over many years.

As I have been advised, the issue of details of particular circumstances not being made available to the court because the child could not remember them has been under consideration for some time. The High Court felt that in a normal situation where a person was being prosecuted that person should have the right to refute the evidence on the incidents that were being used by the prosecution. In the circumstances with which we are dealing, that is not possible. If, for example, only three incidents are used and there have been 100 incidents of abuse, it would be very easy for an adept lawyer to take apart the prosecution's case. In the circumstances dealt with by the High Court, that appeared to be the position that prevailed.

There are safeguards. We are all well aware that circumstances are not always necessarily clear. For example, when a marriage goes through a trauma one partner may accuse the other of being involved in particular activities. In certain circumstances, claims of sexual abuse of children have been unfounded. However, it is important that that does not deter us from the desire to achieve justice. This Bill achieves that very fine balance that is necessary to preserve the rights of the accused while, of course, the victim is given a fair say in the courts.

The Bill does not and will not necessarily allow all those who have offended to be brought to justice. Some rules prevail which keep a balance on the system, but it may still mean that some previous offenders will be let off through lack of evidence. However, this legislation provides a greater

probability that if a person has offended continually he or she will be able to be brought to justice and a trial conducted successfully. I commend the former Government for the initiatives it took in this area. I also commend the former Attorney-General, because this Bill was initiated by him and it remains largely as introduced by him. I thank all members for their contribution to this debate.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Persistent sexual abuse of a child.'

Mr BRINDAL: I will recite a case, which I consider most serious, and ask the Minister whether he believes that this commendable Bill covers it. This case was recently widely reported in the papers, and it involved a male person who frequented toilets with a dillybag containing a miniature camera and who photographed generally small children urinating.

The CHAIRMAN: Order! Before the honourable member proceeds, I would remind him of the comments I made as Deputy Speaker. The question of anything being *sub judice* pertains if the matter is either currently before the courts, in the case of a criminal matter certainly, and also where the matter has been lodged for appeal. The honourable member's comments are reasonably specific; I do not think there have been many cases of such a nature. If the honourable member is certain that the case is not *sub judice,* I will listen carefully to his comments.

Mr BRINDAL: I am assured that this matter has been before the courts. I have communicated with the Attorney-General on this matter, and he assured me that this matter is now beyond the capacity of the Crown to intervene or to appeal. So I do not think that the matter is *sub judice*. The gentleman concerned photographed children in the act of urinating and was, by dint of the vigilance of responsible adults, apprehended. When the police caught this person, they found several hours of videotapes, which obviously suggested a series of similar offences. From the video evidence, I presume it could be substantiated that other times and days were involved.

The person concerned—and I wrote to the Attorney on this matter—could be charged only with the possession of pornographic material. No charge could be made relating to the offence. I was greatly concerned, because I find it absolutely abhorrent. It is the sort of perpetual peeping Tom syndrome, whereby you can invade somebody's privacy, record it and get some sort of vicarious experience for yourself and perhaps for others, duplicate it, do all sorts of things, and yet it does not seem to constitute an offence. I want to put on record that I find that most unsatisfactory.

The person concerned received a sentence which involved a fine and a good behaviour bond. Again, I find that abhorrent. Will the Minister ask the Attorney whether that sort of action could bring about under this Bill a charge of persistent sexual abuse and whether that sort of action is, in fact, sexual abuse? If it is not, it should be, and the Bill should reflect that.

The Hon. S.J. BAKER: Quite clearly, it does not come under the provisions in this Bill. We are talking about sexual abuse: the honourable member is talking about photographs. As far as I am aware—and he can communicate directly with the Attorney—there are provisions under the Summary Offences Act. This is not seen as a serious offence in the same terms as when a child is abused. So, a number of provisions are contained within the criminal law for very serious offences, and a number of offences in the Summary Offences Act cover what are deemed to be less serious crimes. We are not aware that the child being photographed was in any way affected by that experience.

From what the honourable member has said, the complaint did not come from the child or was not passed on to the police as such by someone complaining about that behaviour but, indeed, the matter arose through the arrest of someone who was loitering with some intent. So, the clear answer to the honourable member is that these provisions deal with cases where there has been actual sexual interference. There are other provisions but, as the honourable member would well recognise, those provisions would provide lower penalties, and they really relate to offences against good conduct rather than those of a sexual nature.

Mr BRINDAL: I will not detain the Committee further because the Minister has adequately answered the question, except to say this: it is a bizarre society in which one can make a telephone call to ascertain any one of a number of minor details related, say, to your wife's social security, your own banking or anything else; there are all sorts of inordinate provisions enacted by this Parliament to protect your privacy; all sorts of things now have to be complied with (for example, security codes) for the most mundane inquiries made of business. I do acknowledge that these children were not interfered with, but if what I have described is not a gross invasion of privacy I do not know what is.

I do not consider it a light matter. I am not fortunate enough to have any children, but if I did and that sort of perverse behaviour was perpetrated on my children and I found out, I would think that I am entitled to the protection of the law. In this case, I do not think the law is adequate or affords adequate protection, either to the children whose privacy is so grossly invaded or to their parents. If parents then were to take the law into their own hands, I would think that they would have some justification in doing so, because in that case this Parliament is failing the parents and the children.

The Hon. S.J. BAKER: I thank the member for Unley for his comments—

An honourable member interjecting:

The Hon. S.J. BAKER:—his very passionate comments—and I know that members of the Committee will agree with the sentiments he has expressed. I can only relate to the fact that I encountered circumstances worse than that, with an individual being involved in flashing. One member of the community went around and exposed himself at the primary schools in my area, and the children were affected. That is far worse than the incident raised by the member for Unley. Of course, we found out that the person to whom I am referring was a perpetual problem. He was all right once he was on medication. Once he got off medication—and nobody checked upon his medication; the parole system did not bother to check on this person—he went around the neighbourhood and exposed himself. His actions really did affect the children, some of whom could not sleep at night as a result. My reaction to this was that, if the parole system could not sort it out, that person should go back to gaol.

As a member of this Parliament, I ensured that the parole conditions were strictly adhered to and made the parole officer responsible. What we have with a number of these perverse cases, as the honourable member would be well aware—and there is some potential for psychological damage, which we would all realise—is that these people are perpetuals; they keep doing the same things; they keep going

back to the courts. The courts do not feel that it is appropriate to put them in gaol because they have a mental deficiency and not necessarily a harmful desire. So, they put them out on bail again, but the system does not work. In the circumstances the honourable member has related, I would suggest that the system has to work and ensure that this person does not keep doing the same sort of thing. If that person comes back before the courts again, I would hope that the position is addressed far more strictly than obviously it was on the previous occasion.

The CHAIRMAN: Order! I ask members to adhere to the principle that the Committee stage is for debating what is contained within the Bill, that is, provisions involving persistent sexual abuse of a child, rather than what is not in the Bill, which would have been better canvassed during a second reading speech.

Mr WADE: I seek clarification from the Minister on new section 74(11), which provides:

'Child' means a person under the age of sixteen years;

This provision specifies the age of 16 years, but under the Domestic Violence Bill a child is defined as someone who has not yet attained the age of 18 years. Under the Domestic Violence Bill, if someone hits a 17 year old they are a child; but, under this legislation, if someone sexually assaults a 17 year old they are not regarded as a child. That seems to me to be a contradiction and shows a lack of consistency which confuses me. Will the Minister clarify that?

The Hon. S.J. BAKER: The honourable member has made an excellent point. The fact of life is that the law is all over the place in relation to sex. There is no consistency. When our lawmakers have the time, I think that they should address those questions. Different rules prevail when a person, such as a teacher, is in a position of trust: I think it is under 18 years in that situation. With unlawful sexual intercourse, I think it is 17 years of age. Domestic violence is another example where the age is 17 years. There is no consistency.

I believe it has happened because the law has changed, and the prevailing thoughts of the day have resulted in the provisions of the Bill without somebody saying, 'Is this consistent with provisions that have been set previously?' Some of these provisions were set centuries ago. In some cases, when they are put in legislation, they are of more recent origin and actually specify the age of a child. The honourable member's comments are noted. When the Attorney has some time that matter could be addressed.

Mr WADE: I thank the Minister for his very frank comments. I wish to place on the record that a child is a child, and we need to gain some consistency across our legislation and treat a child as a child and have everyone identify the age at which we treat a child as a child.

Clause passed.

Title passed.

Bill read a third time and passed.

STATUTES REPEAL (OBSOLETE AGRICULTURAL ACTS) BILL

Adjourned debate on second reading.

(Continued from 3 May. Page 962.)

Mr FOLEY (Hart): We support the Bill.

The Hon. D.S. BAKER (Minister for Mines and Energy): This Bill provides for the abolition of four Acts which have well passed their use by date. It tidies up the primary industries legislation, and I recommend it to the House.

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

STATUTES AMENDMENT (COURTS) BILL

Adjourned debate on second reading.

(Continued from 10 May. Page 1116.)

Mr ATKINSON (Spence): The Opposition has considered the Bill carefully and supports it. We especially support the clause relating to the residency of country magistrates. It is to that clause of the Bill I want to address my second reading remarks. During the period when the Liberal Party was in Opposition, it was a constant cry of that Party that the Labor Government ignored people living north of Gepps Cross, by which the Liberal Party meant that the Labor Government ignored country people. Again and again, Liberal Party members advised the House that the Labor Government was failing to upgrade services to country people in the way the Government should upgrade them. Time and again the then Liberal Opposition called for decentralisation of Government services.

Now that the Liberal Party is the Government we have seen a plan to abolish resident magistrates in country towns and replace them with magistrates who will serve country towns on circuit. The Minister for Emergency Services has outlined a plan to close the Port Lincoln and Cadell prisons, and now the Audit Commission has canvassed further cuts to services—cuts which fall disproportionately on country areas.

We also see proposals for the market pricing of electricity and water, which would result in sharp price increases for people who live in the country. The Bill before us seeks to protect the provision of resident magistrates to country towns that now have resident magistrates. The Liberal Government seeks to acquiesce in the Chief Justice's abolition of resident country magistrates.

The Hon. S.J. Baker interjecting:

Mr ATKINSON: The provision that will be disputed in the Bill seeks to give the Governor the power to make directions to the State Courts Administration Council to require that members of the judiciary of a particular court be resident in a specified part of the State. The Deputy Premier says there is no such provision in the Bill and he does not know what I am talking about. If he does not know what I am talking about, why does he say in his second reading explanation that the Government will be opposing these provisions?

The Hon. S.J. Baker interjecting:

Mr ATKINSON: A rather odd thing for the Deputy Premier to say: not knowing what I am talking about but in his second reading explanation saying that he opposes these provisions.

The Hon. S.J. Baker interjecting:

Mr ATKINSON: Could I have your protection, Mr Deputy Speaker?

The DEPUTY SPEAKER: The Chair is wondering whether the member for Spence is not confusing matter contained in a private member's Bill. I am having a little trouble relating—

Mr ATKINSON: No, Sir, I am not. I am not confusing the Bill before us with the Bill of the member for Giles. I

have a letter from the Chief Justice to the member for Giles, in which he says of the system of resident magistrates:

> The system had broken down in practice due to the fact [he means 'owing to the fact'] that the magistrates who were in, or due to go to, the resident towns had families who, for reasons of pursuing careers, employment or education, and in one case health, could not leave Adelaide. The magistrates were living in the house provided for four nights a week and returning to their families at weekends. The increased incidence of fringe benefits tax and other factors made the maintenance of a house costly and futile.

I should have thought the judicial vocation required a greater sense of duty than to indulge in that kind of whingeing. The Chief Justice provided to all members a paper entitled 'The Provision of Judicial Services to Rural South Australia', written by acting Chief Magistrate Cramond, dated 4 February 1994. I will quote from the paper—

The DEPUTY SPEAKER: Order! Before the honourable member does quote, I still do not believe that this matter is referred to specifically within the Bill before us which, in part 6, amends the Magistrates Court Act. There is no mention of removing country magistrates anywhere within the Bill before us. Can the honourable member correct the Chair, if the Chair is in error? Can the member advert to a particular clause?

Mr ATKINSON: We are dealing with the Statute Amendments (Courts) Bill, and in the second reading explanation the Deputy Premier, who has carriage of the Bill in the House, said:

> The Bill also amends the Courts Administration Act 1993 to provide that the Governor may give directions to the State Courts Administration Council to, for example, require that members of the judiciary of a particular court be resident in specified parts of the State.

The Deputy Premier went on to say:

> The Government will be opposing these provisions.

The DEPUTY SPEAKER: The member is referring not to part 6, which he stated, but to part 2A, accessibility of justice.

Mr ATKINSON: I am referring to the Deputy Premier's second reading explanation, and I am about to rebut it by supporting—

The DEPUTY SPEAKER: Order! The Chair is referring to the Bill before the Chair, and what happened in the second reading explanation may or may not have been correct. As it happens, the part to which the honourable member referred in his opening remarks was not the part to which he is speaking now. The correct reference is part 2A on pages 1 and 2 of the Bill. I will accept the member's remarks.

Mr ATKINSON: I am afraid, Mr Deputy Speaker, that you are a little confused, because—

The DEPUTY SPEAKER: No, I am saying that I accept the honourable member's remarks, and I am simply referring him to page 2 of the Bill, part 2A, which gives him full scope.

Mr ATKINSON: But we are speaking to the second reading—we are not in Committee, if you will take cognisance of which Chair you are in.

Members interjecting:

Mr ATKINSON: Thank you. In his paper, acting Chief Magistrate Cramond said:

> The obligation to undertake residential service imposes very considerable limitations on the social life of the magistrate and his family. Rural cities are too small for a magistrate to remain anonymous in any shop, hotel or other public or semi-public place. He may have children who are classmates of children who appear before him in the Youth Court. This can place an intolerable burden on the magistrate's children. Security is also a matter of concern. It is quite impossible in a small community for the location of the magistrate's home not to be commonly known. The magistrate and his spouse are restricted in their social and leisure activities to an extent quite unknown in the metropolitan area—

The Hon. Frank Blevins: Quite disgusting.

Mr ATKINSON:

> —where the magistrate will not be instantly recognisable, as is the case in the country.

The member for Giles interjects and says, 'Quite disgusting' and I—

The DEPUTY SPEAKER: The member for Giles interjects far too much, and the Chair can hear the remarks that he is making. They are quite out of order, and the member is out of order in even acknowledging them.

The Hon. Frank Blevins: I was not interjecting, Sir.

The DEPUTY SPEAKER: The member for Giles has interjected almost incessantly. The Chair can hear the word 'disgusting', and so on.

The Hon. Frank Blevins interjecting:

Mr ATKINSON: Out of order I may be, but I still agree with the member for Giles, because the remarks of acting Chief Magistrate Cramond in this paper should have no sympathy from anyone in Parliament. They certainly will have no sympathy from people living in country South Australia. The points he makes are not well made at all. The point about the magistrate's address being known in the country is irrelevant, because anyone who wants to find out the address of a member of the judiciary living in metropolitan Adelaide can do so easily by reference to the electoral roll. I recall as a student at university reading the words of Karl Marx denouncing the idiocy of rural life, and it seems that the late Mr Marx now has a supporter in the Chief Justice and the acting Chief Magistrate.

These views should be repudiated by the Parliament. We ought to support the Bill, because it allows the Governor to direct the judiciary to serve and live in country South Australia and, if members of the Liberal Party were to keep faith with their rural constituency, they would support the Bill.

The Hon. FRANK BLEVINS (Giles): I support the second reading. I will not go into any great detail, because it seems to me that we will also be having this debate tomorrow and, unless the problem is solved, we will be having it on a weekly basis as far as we can see into the future until it is solved. It ought to be a very easy problem to solve. I congratulate the member for Spence on his contribution, and I endorse everything he said. I will not canvass the same ground, because that is unnecessary. I may tomorrow, but not today.

However, having read the letter from Mr Cramond, dated 4 February 1994, in which he complains that the social life of his magistrates is not fulfilling enough when they have to come to Whyalla, Port Augusta or Mount Gambier, I find that an appalling attitude. Services are being withdrawn from the three principal provincial cities in this State because of the lack of social life of the resident magistrates. I find that offensive in the extreme. As I said, this issue will not go away; it will be pursued on a weekly basis until such time as it is rectified.

We should not need this Bill before us, or a private member's Bill to be dealt with tomorrow, to rectify the situation. All it requires is a little backbone from the Attorney-General to tell the Chief Justice that this kind of stuff is not on. That has been done before; it would not be a precedent. The shadow Attorney-General in another place (Hon. Chris Sumner) has made it clear on the record that,

when he was Attorney-General, the Chief Justice tried on this stunt with him. The Hon. Chris Sumner, to his great credit, told the Chief Justice where to go, that it was not on—end of story.

I am not sure what happened with the change of Government. Maybe the Chief Justice slipped it in while the Hon. Trevor Griffin, the new Attorney-General, was not looking. That is one explanation. It would not be the first time that a public servant or, in this case the Chief Justice, has taken advantage of a change of Government to slip something through under the nose of a new Minister. I do not know how it all came about, but I do know that it is not on, that it will not be tolerated by the provincial cities and that it will not be tolerated by the Labor Party.

I know that there are many members opposite and members on this side who support me. Some members on the other side have been quite vocal and outspoken in support of reinstating the resident magistrates. I think it is a great pity that the issue is before us. As I said, it is unnecessary; it should never have arisen. However, I would not want the Government to believe that, because this is amended, or because my private member's Bill tomorrow is dealt with a particular way, the issue is over: I assure the Government that it is not.

The Hon. S.J. BAKER (Deputy Premier): I thank both members for their contribution to this debate, although what they did was to address an amendment from another place; they did not actually address the substance of the Bill. In fact—

An honourable member interjecting:

The Hon. S.J. BAKER: I know it is new material in the Bill. It arrived in this place in that form and they were quite entitled to address the issue that they concentrated upon. I did not hear anything about the rest of the Bill so I presume that there is general support.

In terms of the issue that they have raised, the current provision, of course, allows for some form of instruction to be given to the Chief Justice as to the issue that members have quite rightly raised, should this measure prevail, of course—and there is some doubt about that. The member for Giles has been assiduous in his pursuit of this matter.

On reflection, it was the previous Government that gave away the farm. It may well be right for the member for Giles to say, 'The former Attorney-General sat on the Chief Justice and would not let him move on this issue.' The former Attorney-General gave it all away when he allowed the powers that were previously within the purview of the Crown, and particularly the Attorney-General, to be dissipated, leaving the total administration up to the Chief Justice, in effect.

The Government of the day vacated the field; it just walked away. Members opposite know that in opposition we had tremendous difficulty with that proposition. At the end of the day, we concurred. However, I can assure members in this House that it was a particularly fierce debate, because we did not wish to see the Government vacate the arena. That was quite clear. We had severe reservations about the impact of that Bill.

For the member for Giles, who might quite rightly have said that the former Attorney-General issued instructions—even though he was not entitled to issue instructions—as sufficient safeguard, I find somewhat indefensible. Basically, the power was vested with the Chief Justice by that Bill. The member for Giles, as a senior member of that Cabinet, supported it. No member of Cabinet can suddenly say, 'The circumstances were that we had an agreement behind closed doors, but the Bill places the power in another spot. Therefore, we thought that the system was all right,' when it was not.

Whilst I have considerable sympathy for the remarks that have been made by both contributors to this debate—it has been the subject of considerable coverage in regional electorates, particularly in Mount Gambier and Whyalla—there are some principles involved. We should not simply be changing the Bill in this way. I will give members three good reasons for that: first, we intend that the issue of the residency of magistrates be reviewed by the Legislative Review Committee. The committee will be able to take evidence on that issue from a variety of sources. I believe that it will also look at the ramifications of one simple instruction in one simple area and how that impacts on the independence of the courts. There might have been many other areas with which the current Government, the previous Opposition, had difficulty in the original Bill. That matter will be addressed over a period of time.

So, I do not believe that we can take a piecemeal approach to these issues because, as I have said from the outset, we in opposition had difficulty with the total proposition. There were elements that made a lot of sense but there were some safeguards that we did not believe were being put in place. This is one area which has arisen and which is a matter of importance, and quite rightly raised by members opposite. However, the Bill placed responsibility with an authority different from the Government.

It then gets down to a question of when do you have Government interference. The member for Giles might say, 'This is the most important issue there is today and it has to be addressed.' It is but one area that needs to be addressed and there will be a number of others, I would suggest. Simply to say that in a piecemeal fashion we will take away the independence of the Chief Justice in the administration of this area and we will allow the Governor to make instructions through the good offices of Government is not consistent with what I thought were the original designs of the Bill.

If we are not happy with the Bill, we should address it in its operations. We certainly have had some rocky periods with the Chief Justice. It may well be that the way he is responding to matters raised by the Government is not necessarily in the best interests of the people of South Australia or in the ultimate disposition of justice in this State. That is a matter to reflect upon. However, I am not the chief law maker of the State.

Mr Atkinson: Just as well.

The Hon. S.J. BAKER: It is just as well, says the member for Spence. That is quite correct; it is just as well. I might turn the system on its head. However, we are having terrible problems with budgets and with the courts. I have sympathy for the argument that is expressed. The matter is being addressed, albeit in a different way from that which members would wish. I am hopeful that within the next six months we will have some resolution on this issue.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Insertion of part 2A.'

The Hon. S.J. BAKER: I oppose the clause. The debate has already been conducted in the second reading stage. If members wish to pursue it, I am more than happy to have them do so.

Mr ATKINSON: Earlier I quoted Acting Chief Magistrate Cramond's extraordinary reasons why magistrates could not serve in the country and the crushing disabilities they suffer from serving in the bush. I would like to add that not only do members of the South Australian judiciary not wish to live in country assembly districts but none of them live in my assembly district of Spence. One of my colleagues says that the judiciary in South Australia insists on living on the side of Adelaide on which the sun rises. I thought I would add a little bit more of Acting Chief Magistrate Cramond's extraordinary remarks. He says:

> All magistrates joining the service since 1976 have been required to give an undertaking that they will undertake two years service as a resident magistrate. The need to give such an undertaking has deterred a number of excellent candidates from accepting appointment as a magistrate.

If that is so, justice in South Australia can well live without those potential candidates.

The Hon. FRANK BLEVINS: I support the provision remaining. It is not there by accident: it is there because a majority of the Upper House put it there. If necessary, they will do it again among other things. As I say, it may well be that the provision is knocked out here. All that means is that there are more opportunities to deal with it both here and in the other place by whatever means are available to us. As I stated, it will not go away. I thought that the Government would have welcomed this provision anyway as it was a way out. Everybody in the Party room must be heartily sick of the argument. Party meeting after Party meeting the question is raised as to how to get this clown to fix this up. That is all it requires—the Attorney-General to fix it up. As we all know, the Attorney-General is an extremely stubborn little man. In the years between 1979 and 1982—

Members interjecting:

The Hon. FRANK BLEVINS: Well, a former Premier called him a little crumb.

The Hon. S.J. BAKER: I rise on a point of order, Mr Chairman. I believe that the comments made by the member for Giles are unworthy of this Parliament and reflect on the Attorney-General. I ask that they be withdrawn.

The CHAIRMAN: The honourable member would be aware that it is improper to reflect adversely upon members of Parliament irrespective of which House they are in, particularly members in another House. I ask the honourable member to withdraw his adverse reflections.

The Hon. FRANK BLEVINS: Mr Chairman, I was not adversely reflecting on him at all: I was merely quoting what a former Premier had said. It is a free country. A former Premier said it outside the Parliament and I am merely repeating that. I cannot see any great problem with it. If any apology is required, it is required from the former Premier. I doubt whether he would be apologising. I would have thought it was a way out of this for this to be carried and for the Attorney-General to fix up the problem. Apparently, the Attorney-General is something of a masochist and wishes this problem to be ongoing. His wishes will be met.

The extraordinary proposition is that the previous Government gave away the game by having the courts administered in that way. That is not the case. The Bill went to the Legislative Review Committee where some of these questions were specifically asked of the Chief Justice to make sure before the Bill went through that the Chief Justice would not pull stunts like this. All those assurances were given. In good faith, the Parliament passes the Bill. Subsequently, we find that these kinds of stunts are being pulled by the Chief Justice and the Acting Chief Magistrate.

I say now that, if the Parliament was wrong in introducing that Act, I will say, 'Yes, I am wrong and I will make whatever *mea culpas* are appropriate to satisfy members opposite. Let's repeal it.' It would have my support. Let us repeal the Act. Let us go back to the previous way the courts were administered and start the debate all over again. If the Chief Justice is allowed to continue to frustrate the will of the Parliament as to how the Parliament believes—and the Government apparently believes—the courts ought to be administered, I am happy to support the repeal of the Act. I will say I was wrong. Let us get on with it and repeal it. This provision goes some little way towards doing that anyway.

What the Chief Justice apparently wants is no accountability for spending public money. That principle is appalling. There has to be some accountability for spending public money. Courts administration is no different from the administration of any other Government operation. Nobody is interested in interfering with the judicial independence of the judiciary. Nobody is interested in that. That is not the issue. That is the red herring that the Chief Justice is trying to draw over this. If any Government wants to put a court on every corner of every street in South Australia and staff it with a magistrate, that is the Government's business.

How justice is dispensed within that court is obviously for the Chief Justice, his judges, magistrates, and so on, to determine within the law. We would not want to interfere. The proposition put by the Chief Justice and the Chief Magistrate is absolutely ridiculous. Again, I am appalled that we have to go through all this nonsense, because apparently the magistrates do not have a good enough time in the three provincial cities. I would not have thought they were there to have a good time but to service the people of those provincial cities. I support the provision.

Mr ATKINSON: Given that we have not long ago had a general election where the governing Party promised not merely to maintain services in country areas but to increase them, I find it extraordinary that the Government will not take this small step of giving itself the power to direct the Chief Justice to maintain resident magistrates in the bush. After all, if the Bill passes, the Government is not obliged to give the Chief Justice the direction we seek. By opposing this clause, the Government seeks to renounce the power to do something that I would have thought accorded with its election platform. So, I foreshadow that when this clause is voted upon it will be, I hope, voted upon by division so that the voters of rural South Australia can see just how their members are voting on this important matter of the provision of services to country South Australia.

The Hon. S.J. BAKER: I think the member for Spence has been a member of this place for over four years now and he has made a suggestion that he hopes that there will be a division. That is within his hands. I presume that he will not hope but that he is telling the Parliament that he intends to divide on the issue.

The Hon. Frank Blevins: Exactly.

The Hon. S.J. BAKER: The member for Giles would have told me straight out that he would divide on the issue. When the member for Giles and I were on opposite sides of the Parliament, I always told him when I was going to divide on an issue.

The Hon. Frank Blevins: And you always lost.

The Hon. S.J. BAKER: That is correct—I always lost.

The Hon. Frank Blevins: People are speaking on this—running over the top of the Attorney-General.

The Hon. S.J. BAKER: I appreciate the comments being made. I did say that considerable sympathy exists for the viewpoint being put by both speakers on the opposite side of the Committee. The issue goes beyond simply a one-off alteration affecting the powers of the Chief Justice to administer justice in this State.

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: It certainly does. That has to be addressed in its wider framework rather than simply under this amendment, which is important and I recognise its importance to members of this Committee. The Government rejects this clause for the very reasons I have already mentioned. It is being taken up—

The Hon. Frank Blevins: It is going to a conference—every step of the way.

The Hon. S.J. BAKER: The member for Giles says that it is going every step of the way. It will be a long step of the way on Sunday, Monday, Tuesday or Wednesday. I happen to be a stayer and I can stay as long as any member of the Opposition and still outstay them in the process. I did not understate the importance of the issue. Sympathy does exist. We have a different mechanism for achieving or looking at this issue in conjunction with the wider connotations and the issue of interference in the courts by the Government. The fault lay with the previous Administration. I can only suggest that we should not be dealing with these matters in a piecemeal fashion and I therefore reject the clause inserted in another place.

Mr ATKINSON: The South Australians who live outside metropolitan Adelaide do not want the Deputy Premier's sympathy—they want his vote and his action on this matter. The Deputy Premier protested that he is most sympathetic to their concerns, but I guess so also was the previous Government when it was withdrawing services from non-metropolitan South Australia. The Deputy Premier quibbles with my indication when I last spoke that I will call a division. This is an important debate for country South Australia, but the members for MacKillop, Frome, Flinders, Finniss and Custance have been absent throughout the debate.

The Hon. Frank Blevins interjecting:

Mr ATKINSON: The member for Gordon is in the Chair. The member for Eyre has been absent throughout the debate. For the interest of the Deputy Premier, my purpose in saying that I would be calling a division on this was to indicate to those members, if they are on the end of their intercoms, that this important debate is on and, in a moment, they will be required to make a judgment on this matter for which they will be held responsible by their constituents. I see nothing wrong with giving that indication.

The Committee divided on the motion:

AYES (10)

Arnold, L. M. F.	Atkinson, M. J. (teller)
Blevins, F. T.	Clarke, R. D.
De Laine, M. R.	Foley, K. O.
Hurley, A. K.	Quirke, J. A.
Rann, M. D.	Stevens, L.

NOES (31)

Andrew, K. A.	Armitage, M. H.
Ashenden, E. S.	Baker, D. S.
Baker, S. J. (teller)	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Caudell, C. J.	Condous, S. G.

NOES (cont.)

Evans, I. F.	Greig, J. M.
Gunn, G. M.	Hall, J. L.
Kerin, R. G.	Leggett, S. R.
Lewis, I. P.	Matthew, W. A.
Meier, E. J.	Olsen, J. W.
Oswald, J. K. G.	Penfold, E. M.
Rosenberg, L. F.	Rossi, J. P.
Scalzi, G.	Such, R. B.
Venning, I. H.	Wade, D. E.
Wotton, D. C.	

Majority of 21 for the Noes.

Clause thus negatived.

Clauses 5 to 12 passed.

Clause 13—'Rules of court.'

Mr ATKINSON: This clause does not effect any substantive change to the principal Act but substitutes a new subsection (5) which refers to the District Court and uses language which is in line with modern drafting style. Which particular barbarities upon the English language does this clause inflict?

The Hon. S.J. BAKER: I suggest the honourable member do his own research and read the original Bill.

Clause passed.

Clauses 14 to 20 passed.

Clause 21—'Joinder and separation of charges.'

Mr ATKINSON: Subclause (3a) gives a superior court power to remit summary offences which have been joined in an information with indictable offences to the Magistrates Court for trial. Clause 22 amends the principal Act by inserting a new subsection (4) that gives a magistrate power to commit a defendant charged with a minor indictable offence to a superior court for trial even though that defendant had failed to elect for trial in a superior court where a co-defendant had elected for trial in a superior court.

My note regarding clause 22 is that it is important that if an incident involves two accused they be tried together. It is important to bring together all the facts of the matter even though one accused has elected to be tried in one court and the other accused has sought to be tried in another court. Yet clause 21 appears to divide the one incident by saying that those elements of the incident which are indictable will be tried in one court and those which give rise to a summary offence will be severed and tried in another court. Are not the two clauses inconsistent?

The Hon. S.J. BAKER: I am advised that, as in all aspects of the law, these two clauses operate in different ways to handle different circumstances. Clause 21 relates to only a single offender and involves summary offences; clause 22 involves the principle that, if there are two defendants, they should be dealt with in the same court at the same time.

Clause passed.

Clauses 22 and 23 passed.

Clause 24—'Power to require attendance of witnesses and production of evidentiary material.'

Mr ATKINSON: This clause seeks to insert a new section 35 in the principal Act to give the Supreme Court powers to compel the attendance of witnesses and the production of evidentiary material equivalent to those given to the District Court. If we need this clause now what has the Supreme Court done previously to enforce subpoenas?

The Hon. S.J. BAKER: I am advised that this change is quite small but very important. The Supreme Court will now have the power to issue a warrant to have the person arrested

which did not previously prevail. In fact, the matter would have been handled through the Magistrates Court under those circumstances.

Mr ATKINSON: Is the Deputy Premier saying that, where a witness failed to appear before the Supreme Court, he or she was compelled to appear by a process issued through a lower court?

The Hon. S.J. BAKER: I may have misled the honourable member. I am advised that the matter was dealt with by the Supreme Court as one involving contempt of court and that an order could follow as a result, whereas this clause gives the Supreme Court the same power as that of the District Court and the Magistrates Court. It is one more step in the chain toward having a person present himself or herself to the court.

Mr ATKINSON: Will the Deputy Premier explain the mechanics of how a witness was compelled to attend court under the old provisions via a contempt of court and the mechanics that will now apply if this clause becomes law?

The Hon. S.J. BAKER: Again, my advice on this matter—and it can be governed only by our observations of the system without having sat in the courts to see it happen—is that the decision that a person had been in contempt would then lead to the issuing of a warrant for contempt of court. The matter does not need to come back before the court. The District Court and the Magistrates Court automatically have the right, of their own volition, to issue a warrant. So, it is one of the peculiarities—

Mr Atkinson: Without going through contempt proceedings?

The Hon. S.J. BAKER: Yes, that is my understanding. I will have that matter looked at, and if there is any alteration of that advice, because I am not *au fait* with how the courts work, I will advise the honourable member accordingly.

Clause passed.

Title.

The Hon. S.J. BAKER: I move:

Page 1, line 6—Leave out 'the Courts Administration Act 1993,'.

Amendment carried; title as amended passed.

The Hon. S.J. BAKER (Deputy Premier): I move:

That this Bill be now read a third time.

Mr ATKINSON (Spence): The Opposition regards the Bill that emerges from the Committee stage far inferior to the Bill that entered the Committee stage. We are most disappointed that the Liberal Government has not rewarded the overwhelming support it receives from country South Australians with resident magistrates. Accordingly, we are not happy with the Bill in its current form, but we will nevertheless acquiesce in it.

Bill read a third time and passed.

SOUTH AUSTRALIAN PORTS CORPORATION BILL

Adjourned debate on second reading.

(Continued from 10 May. Page 1113.)

Mr ATKINSON (Spence): The Opposition has studied the Bill before it most carefully and it supports it.

The Hon. J.W. OLSEN (Minister for Infrastructure): The Government will move to amend the Bill by opposing clause 12. It has come to our attention that the amendments proposed to be made to section 15 of the Harbors and Navigation Act 1993 may affect lands subject to native title. The proposed amendment to the Bill converts the Minister's interest in Crown land held under trust or dedication into a fee simple interest. The purpose of the amendment was to facilitate dealings with the land. It is not clear, without extensive research, whether any of the land is affected by native title interest.

The 10 year history of each parcel of land would need to be examined to determine whether native title on the land has been extinguished, in accordance with the principles established in the Mabo case. Under these principles, native title may be extinguished by the severance of the ties of the traditional title holders to the land or by the grant by the Crown of an interest in that land inconsistent with the continuation of native titles. This is a factual question which must be determined case by case. In view of what I have just said, the proposed amendment is not urgently required, and therefore the Government does not propose to proceed with that clause at this stage, given that uncertainty.

Bill read a second time.

In Committee.

The Hon. J.W. OLSEN: Mr Chairman, the amendment to which I have just referred relates to the next Bill. My apologies for that.

Clauses 1 to 22 passed.

Clause 23—'Liability for council rates.'

The Hon. J.W. OLSEN: I move:

To insert clause 23.

This is a money clause which cannot originate in the Legislative Council.

Clause inserted.

Clauses 24 to 27 passed.

Clause 28—'Licences for aquatic activities.'

Mr ATKINSON: In the Minister's explanation of clause 28, he said:

Licences for aquatic activities grant exclusive rights to use certain waters to the holder of the licence, and it is an offence for a person to enter those waters during the relevant times with the consent of the licensee or the corporation.

Does the Minister not mean 'without the consent'?

The Hon. J.W. OLSEN: The clause appears to be printed correctly, because it provides:

A person who, without the consent of the licensee. . .

I think the clause is quite clear and is printed correctly.

Mr Atkinson: It says, '. . . with the consent of the licensee'.

The Hon. J.W. OLSEN: To be guilty of an offence you have to commit it without the support of the licensee, and that is exactly what the clause provides.

The Hon. S.J. Baker: It's a misprint in the second reading explanation.

The Hon. J.W. OLSEN: If the honourable member refers to the Bill before the Committee, he will see that it has no printing errors.

Mr ATKINSON: The Deputy Premier's concession is that the second reading explanation, as given to the Opposition, had a misprint in it.

Clause passed.

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

The Hon. LYNN ARNOLD: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

The CHAIRMAN: Has the member for Spence any further questions on the Bill?

Mr ATKINSON: Having been assured that the second reading explanation that was tendered to me contained a misprint, I am now satisfied with the clause as explained.

Remaining clauses (29 to 36), appendix and title passed.

The Hon. J.W. OLSEN (Minister for Infrastructure): I move:

That this Bill be now read a third time.

In moving that this Bill be read a third time, I draw to the attention of the member for Spence that it is not what is in the second reading that becomes law. What we are passing is the content of the Bill itself, and in this instance the Bill was accurate in that it reflected the will of the Government and the direction of the legislation which, after it passes through both Houses of the Parliament, will become law. It is always advisable to check the second reading against the Bill, but the Bill is the predominant force, which the members of the House ought to acknowledge. However, I acknowledge that the member for Spence with due diligence pursued this matter and identified the fact that the second reading explanation did not accurately reflect the content of the Bill before the House and, for that diligence, I commend the member for Spence.

Bill read a third time and passed.

HARBORS AND NAVIGATION (PORTS CORPORATION AND MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 May. Page 1114.)

Mr ATKINSON (Spence): The Opposition has studied this Bill with extraordinary diligence and, at the conclusion of that studying and pondering, has decided to support it.

Bill read a second time.

In Committee.

Clauses 1 to 10 passed.

Clause 11—'Interpretation.'

Mr ATKINSON: What circumstances prompted the Government to amend the definition of 'fishing vessel' to include 'all vessels used in connection with a fish farm'?

The Hon. J.W. OLSEN: Ordinarily, fishing vessels are used to go out, catch fish and return and, in this instance, the definition is broadened to include those involved in fish farming exercises.

Clause passed.

Clause 12—'Property of Crown.'

The Hon. J.W. OLSEN: We oppose this clause. It has come to the Government's attention that the amendment proposed to be made to section 15 of this Act may affect land subject to native title. The proposed amendment converts the Minister's interest in Crown land held under trust or dedication into fee simple interest. The purpose of the amendment was to facilitate dealings with the land. It is not clear, without extensive research, whether any of the land is affected by native title interests. The tenure history of each parcel of land would need to be examined to determine whether native title in the land has been extinguished in accordance with the principles established in the Mabo case.

Under these principles, native title may be extinguished by the severance of the ties of the traditional titleholders to the land or by the grant by the Crown of an interest in that land inconsistent with the continuation of native title. This is a factual question that must be determined case by case. In view of the above and the fact that the proposed amendment is not urgently required, it is the Government's intention not to proceed with this clause at this stage.

Mr ATKINSON: What trusts or reservations that the Minister is aware of would have been abolished by the operation of this clause had it stood in the Bill?

The Hon. J.W. OLSEN: As the honourable member would well understand, and in explanation as to the reason why the Government will not proceed with this amendment, the question simply cannot be answered, because you can only determine it on a case-by-case example. As the matter is not urgent and cannot be clarified to the satisfaction of the Government or the House, as applies to questions by members at this time, we do not propose to proceed with that clause in the Bill.

Mr ATKINSON: I studied the clause this morning at my kitchen table and had resolved to ask a question about it before the Minister surprised us all by coming into the Committee and saying that he would move to delete the clause from the Bill. I had thought that the Liberal Party of Australia was a Party that, among other things, defended property rights. So, it was with some surprise that I noticed clause 12 of the Bill, which amends section 15 of the principal Act so that all land currently held by the Minister subject to trusts or reservations under the Crown Lands Act or the Harbors Act is vested in the Minister in fee simple free of those trusts or reservations. If clause 12 remained in the Bill, it would have abolished the private property rights of those people who might be beneficiaries of those trusts.

I would have thought that the least any Government could have done, especially a Government whose avowed philosophy is to protect property rights, would be to ascertain just which beneficiaries would have their property rights extinguished by the operation of the clause. We find that the Bill has been out for public comment for months. It has gone through another place and it almost became law. At the last minute the Minister seeks to delete the clause, because it might conflict with the Mabo decision.

I agree with the Mabo aspect of it, but I have to ask, if we leave Mabo aside, what other property rights of other people were to be violated by the Bill? I would have thought that the least the Government would do in a Bill, part of which was to extinguish property rights, would be to ascertain who was affected by extinguishing those property rights. Yet the Minister has enough brass neck to stand up before the Committee to say that he does not know whose property rights are extinguished by the Bill. That is really a remarkable statement from a Minister whose Party's philosophy is based on the defence of private property rights.

The Hon. J.W. OLSEN: This clause was initially inserted in the Bill for administrative convenience—no more and no less. If we wanted to extend the honourable member's argument, we would include the powers of compulsory acquisition in the Bill, but the Government is not seeking to do that. If it had escaped the honourable member's attention, there is considerable confusion around Australia from far more eminent people than the member for Spence as to the implications of the Mabo case and its impact on the community, on property rights and on entitlements currently vested, those that might continue and those that might not continue. If the honourable member is holding himself up to be a great judge of the Mabo case, I suggest that he ought to leave this

place as a member of Parliament, because he could earn far more money in the private sector making judgments in relation to Mabo. I am sure that the honourable member understands that it will be a very lucrative field for the legal profession in the future.

Suffice to say that the clause was originally included in the legislation for administrative procedures and convenience. The matter is not clarified as it relates to Mabo. It is therefore not being proceeded with simply because it is not urgent and not required.

Mr ATKINSON: Some property rights fall amid great clamour to the advance of socialism; other property rights are lost by administrative convenience.

The Hon. S.J. Baker interjecting:

Mr ATKINSON: I did not raise the question of Mabo in the Committee: the Minister did. So, for the Minister to give a standard Liberal Party tirade against the case of Eddie Mabo is just irrelevant to the Bill.

The Hon. J.W. Olsen: I am not doing that at all. I am drawing to your attention to the factual situation that we face.

Mr ATKINSON: As it is, he is withdrawing the clause because it might affect the rights of some Aboriginals and Torres Strait Islanders. My point is that before we even came to consider Mabo and the property rights of Aboriginals and Torres Strait Islanders, this Bill might have affected the property rights of South Australians generally. For the Minister to say that it is okay for people to lose their property rights in the interests of administrative convenience seems to me a most unsatisfactory answer to my criticisms of the Bill.

I will summarise my reason for querying this Bill. It seemed to me to take away the property rights of people who were beneficiaries of trusts and convert their beneficial interest into a fee simple interest for the Crown. That involves the loss of property rights. It seemed to me that the least the Government could do in defending the clause was to tell the Committee who was losing their rights under those trusts.

When I was a university student about 15 years ago, the Wran Government passed a Bill to take away the rights of people who had inherited interests in coal mines in New South Wales. That story was on the front pages of our newspapers for day after day. I did not study in Adelaide. The plight of the people who were to be affected by that legislative initiative—which the Wran Government would have said was not socialism but administrative convenience—was featured in the press, and it was a matter of great political controversy.

I would have thought that the least the Minister could do would be to tell the Committee what are the trusts and reservations that were to be abolished by this clause. One would have thought that he would enumerate them and assure us that neither the trustees, the beneficiaries, nor those for whom the land was previously reserved cared about the loss of their rights. Instead, the Minister came to the Committee and said that he was pulling the clause because it might affect the outcome of some Mabo cases. That is a most unsatisfactory response from a Minister who is in charge of the Bill in the people's House.

I note that this Bill had gone through the Upper House and was almost through this House, and the Minister had not considered this question. He is withdrawing a clause, and that is the right thing to do, but he is doing it for the wrong reasons.

The Hon. J.W. OLSEN: I draw the honourable member's attention to page 3: 'Property of Crown.' We are talking not about private property rights but about all land of the Crown vested in or under the care, control and management of the Minister. We are not talking about private property holdings in this matter. The honourable member ought merely to have read the Bill and it would have—

Mr Atkinson interjecting:

The Hon. J.W. OLSEN: If you had read it you would not have demonstrated your ignorance by your contribution just now. Your remarks indicated no knowledge of the clause we are discussing. In other words, you are way off beam.

Clause negatived.

Clauses 13 to 21 passed.

Clause 22—'Application of division.'

Mr ATKINSON: In his second reading explanation the Minister said:

> The amendment means that all powered recreational vessels are required to be registered and marked in accordance with the regulations.

Will the Minister say what happened before this Bill came in?

The Hon. J.W. OLSEN: We are dealing with provisions that have been assented to but not proclaimed under the existing Act, and it involves the continuation and simplification of existing practices.

Mr ATKINSON: Does it mean that all powered recreational vessels were not required to be registered and marked in accordance with the regulations before the advent of this clause? What happens now?

The Hon. J.W. OLSEN: There was a minimum capacity upon which there was no requirement previously. This now extends the requirement across all capacities.

Clause passed.

Remaining clauses (23 to 26) and title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Adjourned debate on second reading.

(Continued from 5 May. Page 1072.)

Mr ATKINSON (Spence): Most of this Bill was drafted by the previous Government. I think there is only one addition and that relates to subordinate legislation. The Opposition has studied the Bill meticulously as it does all Bills that come before the House. We will be voting for the Bill although we do have some questions to ask at the Committee stage in order to keep the Deputy Premier on his mettle.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—'Suspension of motor vehicle registration for default by body corporate.'

Mr ATKINSON: During the last Government, which was a Labor Government, there was a change to the law dealing with offences committed in connection with roads and motor vehicles which provided that instead of imprisoning people the Government penalised offences against that section of the code by suspending their licences or the registration of their motor vehicles. I notice that the Liberal Government, which as a Party was not all that enthusiastic about the changes at the time, now not merely acquiesces in the continuation of that system but seeks to impose a fee when such penalties are levied on registration or licences. Will the Deputy Premier explain the Liberal Party's change of heart and say why it seeks to use these penalties for revenue raising?

The Hon. S.J. BAKER: There are a number of pieces of legislation that we do not necessarily go and alter as a result of a change of Government. Changes of Government do not necessarily mean you revisit everything you have opposed over the past 10 or 11 years and change them back to where they were. Time marches on. The reasons that may have prevailed at the time may no longer be valid or, alternatively, the system may well be working far better than ever envisaged. I do not know whether either of those situations applies here.

Mr Atkinson: So, we might have been right.

The Hon. S.J. BAKER: Indeed, the honourable member could well be right. On this occasion the Attorney has not seen fit to revisit that previous decision, and it may well be that the Attorney and the Minister for Transport are content with the current provisions. It is not my duty to explain why we have not gone back and amended all the Acts or provisions we opposed over the past 11 years. As regards the clauses the honourable member has opposed during this session of Parliament, I am sure that after a long term of a Liberal Government his Party will not go back and seek to amend them. The necessary energy must be directed towards the future and not the past.

In relation to the second matter, considerable cost is associated with pursuing bodies corporate, which have vast resources at their disposal. It is only fit and proper that the cost of applying the notice should also be included, and that is why that provision has been inserted. As the honourable member would well recognise, sometimes the cost of pursuing particular people or companies far exceeds the fine that may be applied.

Clause passed.

Clause 7—'Powers of Director.'

Mr ATKINSON: I understand that this clause gives the Director of Public Prosecutions the job of initiating proceedings for contempt of court. I am glad to note, however, that the power of the Attorney-General to initiate such proceedings is retained and I would appreciate the Deputy Premier's confirming my interpretation that the Attorney-General's power is retained. I am curious about whether the power of a judge to punish contempt in the face of the court is retained and in no way diminished by the clause.

The Hon. S.J. BAKER: It is not affected at all. However, we are talking about two separate incidents. Section 7 of the Director of Public Prosecutions Act 1991 lists a whole range of areas in which the Director, under this statute, has the right of intervention, and they are clearly laid down in the principal Act. This simply adds another item to that list. It provides that the Director has the power to lay charges of indictable or summary offences against the law of the State; to prosecute indictable or summary offences against the law of the State, and so the list goes on. I commend a perusal of the original Act to the honourable member.

We are merely providing here for instituting civil proceedings for contempt of court. That right can prevail. The judge can take proceedings on his or her own behalf. If a person stands up in court and abuses the judge, that judge, quite rightly, under his or her own jurisdiction, can take that matter further by charging that person with contempt of court. There is no problem or difficulty in the two circumstances that I have outlined.

Mr ATKINSON: I seem to recall from Law School a Latin maxim whose English translation was that the express mention of one thing is the exclusion of another. I would have thought that it is possible to interpret this Bill, having given the power to the DPP to institute contempt proceedings, to thereby take it away from others. However, the Minister has chanced his arm on this matter. He has risen without advice and given me an answer, which I am prepared to accept.

Clause passed.

Clauses 8 to 27 passed.

Clause 28—'Making of regulations.'

Mr ATKINSON: Will the Minister explain in simple terms the mechanics of this clause? I am concerned about that part of the clause which says that any failure to have a regulation laid before both Houses of Parliament does not affect the operation or change the effect of that regulation. It worries me that this clause may be taking us away from accountability of the Executive to the Parliament. Will the Minister explain what advantages of greater scrutiny of subordinate legislation accrue to the Parliament from the clause? Can he assure the House that there is no retreat from accountability?

The Hon. S.J. BAKER: That is not our view. My understanding is that it is strengthened because there appears to be no penalty for failure under the current provisions. That is the matter we are addressing, with a view to ensuring that the law is not flouted.

Mr ATKINSON: The Minister's claim that there is now no penalty for not laying subordinate legislation before the Parliament is a conjectural claim. I gather that there is conflicting case law on the matter. The clause provides:

> Any failure to have a regulation laid before both Houses of Parliament does not affect the operation or effect of that regulation.

Why does the Minister include such a provision? On its face that would appear to me to be a retreat from accountability and resolving the conflict in the case law by saying, 'If you don't lay a regulation before the House there aren't any consequences.' Will the Minister explain the mechanics of this clause to indicate how it upholds parliamentary scrutiny of subordinate legislation?

The Hon. S.J. BAKER: The principle is that the Subordinate Legislation Act is actually silent on the effect of non-compliance with its provisions, and that is one of the problems. I refer the honourable member to the second reading explanation where it clearly enunciates the reasons. Unless people are forced to do this, and indeed if it is not done, as I understand it the regulation has no standing and therefore can be contested. So, if the regulation is not put before the Parliament as required within the 14 day framework—if that is not complied with—there is a difficulty in endorsing the regulation.

Mr ATKINSON: From the point of view of Parliament, that is an entirely happy outcome. The only people who will be weeping about that outcome are the Executive. I go back to my original question which the Minister has managed not to answer in two responses. These changed regulations are designed to make it easier for subordinate legislation to comply with the requirements of parliamentary scrutiny but, if subordinate legislation is not laid before the House in accordance with these easier, more relaxed requirements for scrutiny by the House, what is the consequence of defying those requirements? How does this clause maintain or improve parliamentary scrutiny of regulations? I gather that one feature of the clause is that the Legislative Review Committee will become involved in pointing out to Parliament that the scrutiny provisions have not been fulfilled.

Will the Minister describe the mechanics of the clause and how it maintains or improves parliamentary scrutiny of

subordinate legislation? I do not want to hear how it helps the Executive to get around parliamentary scrutiny of subordinate legislation. We have heard how the clause can save subordinate legislation that has not been laid before the House in accordance with the scrutiny provisions; what I want to know is how this clause helps the Parliament to scrutinise subordinate legislation.

The Hon. S.J. BAKER: Again, I refer the honourable member to the second reading explanation. It allows the Parliament to note that certain regulations have not been before it and then to disallow them, which it cannot do at the moment.

Clause passed.

Remaining clauses (29 to 31) and title passed.

Bill read a third time and passed.

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

A quorum having been formed:

DOMESTIC VIOLENCE BILL

Adjourned debate on second reading.

(Continued from 10 May. Page 1119.)

Mr ATKINSON (Spence): Mr Acting Speaker—

Mr Brindal: Are you the Opposition in this House?

Mr ATKINSON: The member for Unley asks whether I am the Opposition in this House. Yes, I am, for the purpose of the Bills before us today.

Mr Brindal interjecting:

The ACTING SPEAKER (Mr Venning): Order!

Mr ATKINSON: I realise that the member for Custance is inexperienced in his role as Acting Speaker, but I hope he will be able to bring the member for Unley and others to order so that the mirth—

The ACTING SPEAKER: I hope the member for Spence is not casting aspersions on the Chair.

Mr ATKINSON: No, Mr Acting Speaker. I hope that you will be able to repress the mirth on the Government benches so that we can proceed to deal with this Bill.

Mr Brindal interjecting:

The ACTING SPEAKER: Order! The member for Unley will refrain from interjecting.

Mr ATKINSON: The Opposition has studied and pondered the Bill clause by clause. We will support the whole Bill—it is necessary at this time. The main feature of the Bill is that it allows the criminal law to intervene in families where there is not proved violence or an allegation of an instance of violence but reasonable apprehension of violence. Regrettably, the frequency of domestic violence has necessitated this change to the law, and the Opposition supports the Bill.

Ms GREIG (Reynell): I, too, support the Bill. At present, our laws relating to domestic violence are not easy to find or to follow, and this Bill provides a coherent and comprehensive piece of legislation to assist women and those working in the area of domestic violence. There is a coercive silence about domestic violence in our community: we pretend it does not occur, that it is not our business or that it is the victim's fault. This annexation of private and public life creates a barrier for victims of domestic violence who need help. If the victim cannot talk to anyone about it without a sense of betraying other members of the household or because of the way other people within the community may react to them, they are forced to suffer alone in silence.

There is a great need to begin naming domestic violence for what it is. It is a crime—a crime against a person which strikes at their basic human dignity. If we fail to speak and act to prevent domestic violence, we become partial collaborators with the perpetrators. When the reality of family life or relationships falls short of the ideal, people are often reluctant to talk about it or to allow others around them to know the truth. Myths about family life can and do create a sense of guilt and failure in those who find themselves in a difficult or untenable relationship. There is a pervasive ideology in our society that family matters are private and should not be discussed outside the home. To do so is considered a betrayal of the other members of the family. Such attitudes make it difficult for people trapped in abusive relationships to find the support or protection they need.

It is also important to recognise some of the unique problems faced by women from non-English speaking backgrounds. Women from overseas have double the problems that white Australian women have: first, the lack of English language skills; and, secondly, women from overseas have specific cultural and religious beliefs. For instance, a woman from a small, tightly-knit Vietnamese community faces a lot of problems. Most people within her community know each other, and as a victim she is easy to single out in a crowd. These women tend to stick to the same certain shopping centres and their own community group or church. Culturally speaking, they are looked down on if they separate from their husband, because Vietnamese people believe, the same as Filipinos and other Asian families, that it is bad for a woman to leave her husband. They also believe that children must have their father, no matter what the cost, even if the cost just happens to be the woman's livelihood or her life. Of the Vietnamese women who leave their husbands and go to a women's shelter, 98 per cent reconcile, but not through their own choice—it is always the choice of their family.

Again, isolation is a major issue for rural women. It increases the difficulties of disclosure for many women. Escape is difficult. Rural women can be physically inhibited by distance, lack of access to a vehicle, no access to a telephone or limited access by radio or to operator-assisted calls. Taxis and public transport are virtually non-existent. For rural women, a safe place is hard to find, and even more of a concern is the easy accessibility of firearms to the perpetrator, and statistics confirm their significance in rural domestic violence. Our domestic violence election policy stated that a Liberal Government would introduce a domestic violence Act to bring together in one piece of legislation the laws relating to domestic violence. The new Bill has moved a long way towards addressing the real issues faced by victims of domestic violence.

Ms STEVENS (Elizabeth): I rise to speak in favour of this Bill and pick up on a number of issues raised by my colleagues here and in another place. This Bill is the culmination of attention being given to the issue of domestic violence in this State over a number of years. South Australia has an excellent record in terms of dealing with domestic violence. We have not solved the problem, but we have certainly done a great deal about it.

Mr BRINDAL: I rise on a point of order, Mr Acting Speaker. The honourable member said she wanted to refer to comments made here and in debate in another place. Is that

in order? I thought we were not supposed to mention debate in another place in this Chamber. I make the point of order more for the sake of the honourable member's speech.

The ACTING SPEAKER: Order! The point of order is valid. The honourable member should not refer to the other place. I do not think it will affect her speech. If she changes her terminology, I am sure it will overcome the problem.

Ms STEVENS: Thank you, Mr Acting Speaker, and I thank the honourable member for his point of order. We were the first to introduce stalking legislation; and we were one of the first places to introduce the concept of restraining orders and then to make them available by telephone. We were one of the first places to make mandatory confiscation of firearms and removal of firearm licences concurrent with a restraining order and recognise restraining orders from other jurisdictions.

Through our justice system we have collected some of the most comprehensive data on violence against women, including domestic violence. The data for 1992 showed that, of all violent offences reported in 1992, nearly half (46 per cent) the victims were female; and, in respect of female victims, over half the violence occurred in a private dwelling. Female victims are far more likely to be at risk of being victimised by a member of the family, a spouse or a friend. The data shows that, for females, 58 per cent of all violent incidents committed against them occurred in a private dwelling, whereas only 30 per cent of violent incidents against males occurred in a private dwelling. Females who are separated or divorced are also much more likely to be subject to violence than those in a married or de facto relationship. Where separation or divorce has occurred, violence has very frequently been a factor in that separation or divorce, and the ex-spouse or the ex-de facto spouse is frequently vindictive, frequently follows the ex-partner and inflicts violence on her.

Remarks have been made in another place about why this is a Bill devoted entirely to domestic violence. We are in this way separating it from other forms of assault. Despite the fact that the Summary Offences Act has covered domestic violence, the complaint has been that for many years neither the police nor the courts has treated domestic violence in the same way as they have treated other assaults: the penalties have been less, the attention paid by police when called out has been much less, and there has been a greater tolerance of domestic violence than other forms of assault. I hope that the separateness of this Bill will ensure that domestic violence is treated with the utmost seriousness by police and the courts.

I support the legislation in that it contains some useful amendments and further reforms and tidies up existing legislation. I know that legislation is only one aspect in the fight against domestic violence, but it a critical one. It demonstrates to all women, because victims are overwhelmingly women, that the law of the land is on their side in dealing with this travesty that strips them of their basic right to live their life in safety and with dignity.

Mr WADE (Elder): I support the Bill. It extends the power of restraining orders with respect to domestic violence. It recognises domestic violence as a crime to be taken seriously by perpetrators who can be detained by the police whilst a complaint or an order is made or served on them. The Bill provides a penalty of a maximum of two years if a person fails to comply with a domestic violence restraining order. The Bill has teeth, and in the past a restraining order of this nature, especially in relation to domestic violence, would not have had this kind of teeth. Under clause 4(2), the Bill deems a defendant to have committed domestic violence if they cause personal injury to a member of their family, cause damage to the property of a member of their family, follow a family member, loiter outside the place of residence of a family member, enter or interfere with property occupied or owned by the family, or give offensive material to a family member or leave such material where someone from the family can see it.

The Bill also deems that a defendant has committed domestic violence if they keep a family member under surveillance or engage in any other conduct so as to reasonably arouse that family member's apprehension or fear. Clause 4(2)(c)(vi) needs to be explained further. Perhaps we need to take a closer look at domestic violence to put this part of the clause into perspective. Domestic violence occurs when a person suffers persistent or serious physical, verbal, economic or social abuse from a partner with the result that the person suffers a sustained emotional and/or psychological effect. We must take it as a confirmed fact that the vast percentage of domestic violence is perpetrated by men against women. Domestic violence is abuse. It is a direct result of a society that perpetuates a power imbalance between men and women. Domestic violence occurs regardless of cultural background, level of family income or, for that matter, age. Although very little research has been conducted into the age factor in Australia, overseas studies indicate that between 2 per cent and 5 per cent of people over 65 years may be victims of domestic violence.

Spouse abuse and violence concerns the depowering of the woman. We are not talking about a heated domestic argument: we are talking about physical, verbal, economic and social abuse. I would like to take a few minutes to define those four categories further so that we can understand clause 4(2)(c), which provides:

> (vi) The defendant engages in other conduct, so as to reasonably arouse a family member's apprehension or fear.

We should know what 'other conduct' means. Physical violence is the most obvious form of violence. On a continuum, this begins with a lack of consideration for the physical comfort or needs of the person; it escalates to actions such as pushing, shoving, slapping, shaking, punching, bruising, twisting limbs, breaking bones, denying sleep, nutrition and medical care, causing a person internal injures, using household objects as weapons and causing permanent injury; and, finally, it ends in murder.

Part of this physical violence is sexual abuse, and this begins with the objectification of women through jokes, and humiliating or degrading comments. It escalates to demands for sex or punishment by rejection by a sexual partner, degrading a person either with regard to sex or while having sex, and causing injury during sex. This is all part of domestic violence. Object damage is another form of physical violence, and that ranges from throwing crockery, breaking furniture, punching doors, destroying household goods and killing or harming family pets. That is a fairly clear definition of 'physical violence', and it is covered adequately by the Act.

We then move on to those matters not covered quite so adequately in the Act. There is verbal violence, the putting down of the woman in an attempt to demean and depower, causing the woman to become more dependent on the man. It ranges from snide, joking comments through to fearsome, constant haranguing. The purpose is to humiliate, degrade, demean, intimidate and subjugate. Threats are another form

of verbal abuse. They can take many forms and include such things as killing all the pets, threatening to commit suicide, threatening to turn the kids against her, or child abuse.

Mr Atkinson: Poison pen letters.

Mr WADE: The member for Spence speaks of poison pen letters. I would agree with him. That is a threat, and it can be seen as a threat, depending on the content of such letters.

Mr Atkinson interjecting:

The ACTING SPEAKER (Mr Venning): The member for Spence is out of order.

Mr WADE: These threats of violence to the woman can be very explicit. There could be verbal threats such as, 'I am going to kill you.' Or they could be implied: 'If you are not with me, I won't let you be with anybody.' Under some circumstances, a threat can be considered an offence in law. The third category which is to be explained further and which is not fully explained in the Bill is economic domestic violence. Two forms are encountered. One form is where the man gives over his income and demands that the woman do the impossible. He may say, 'I give you $80 a week. Why can't you feed and clothe us on that?'—and it could be a family of five. Or he could say, 'What's this final notice we have received? I gave you $100 to finish paying off the car'—but there was $1 000 owing. The other form of economic domestic violence is when the woman has no access to or control over money, even when she has money of her own.

The final form of domestic violence is social. There are many manifestations of this. There is the verbal abuse of the woman in company. She could be laughed at, sent up, put down—maybe in a joking way or maybe with cruel purpose. The point is, this does not happen in the home: this happens socially in company. The woman is thus humiliated in front of her friends, relatives, peer group or strangers.

Also there is the smothering of the woman. The man takes her to work; rings her twice, three, four times during the morning; comes around at lunch; rings her twice, three, four times in the afternoon; picks her up from work; takes her home; drives her to her aerobics class; sits in the car and waits for her to come out; and takes her straight home. When one of her male supervisors perhaps comments on her attractiveness, the man gets her to change firms, for the sake of herself, of course, to protect her against these other horrible, mean, nasty males. That is social domestic violence.

Finally there is social abuse through isolation. The woman is not allowed to see her friends because they are all trouble makers or her relatives because they may fill her head with stupid ideas. She is not allowed to go out because there is plenty to do at home, or it is dangerous out there. Thus, the male effectively isolates her from all other reference points, making himself the only reference point that she has.

I have canvassed those four areas. The physical part of domestic violence is covered by this legislation, but the economic, social and verbal parts of it are not. I hope that the courts include in 'other conduct' the verbal, social and economic domestic violence aspects as being as real, pertinent and deadly as physical violence. I support the Bill.

Mr BRINDAL (Unley): I support this Bill but, like the member for Spence and the member for Elder (whom I must commend on his very cogent and erudite interpretation of the legislation and the need for it), I would like to make a number of comments. I believe that the member for Elder in an earlier debate questioned in the context of that debate the age provision, and I note for the Minister's benefit that the age provision contained in this Bill is 18 years. I would like placed on record that I wish this Parliament would decide, rather than deciding from Bill to Bill, that a child is in some cases 16, in another case 18 and in another case 15 years.

Mr Atkinson interjecting:

Mr BRINDAL: The member for Spence interjects that I have been inconsistent on that myself. I may well have been, but that does not excuse the fact that we should try to be consistent. I am as capable of failure as the member for Spence, although I err not quite as often. The member for Spence actually made some very good points in the course of his contribution, if anybody has the ability to translate his convoluted English style. Basically, if I can sum them up for consumers of *Hansard* who are unable to understand the member for Spence—

Members interjecting:

The ACTING SPEAKER: Order!

Mr BRINDAL: I am sure the member for Spence will give Big Bob Francis his own interpretation of everything that happens in this Chamber, no matter what any of us might say. The problem with the Bill that has been highlighted by other speakers is not the need to have the Bill; it is the regret that we must all record because the Bill is necessary. As I think the member for Spence was trying to say, in a better world it would not be necessary in a Parliament to make legislation that impinges on or limits the rights of people to interact with other people. If we had a better world, this type of thing would not be necessary. But we do not have that perfect world, therefore we must support this Bill.

The danger that we face with this Bill, as Parliaments face with every Bill, is that, the minute you try to put into writing a code of conduct for human beings, by definition you limit and perhaps cause some problems that you never intended. There can be a problem at times, which I think some members have highlighted, in a case where you have a person who for a malicious or vengeful reason wants to use the provisions of the law and twist them to assert facts that are not true. Unfortunately, this type of law, because it places the onus on the victim and the victim's family—which is quite right: there is no choice in this legislation other than to do that—opens itself to abuse in a very few cases where people, because of a breakdown in a marital situation, become somewhat jaded and bitter, know that this legislation exists and go and take out orders. And that is regrettable.

I hope it does not happen very often and it is most regrettable, as I say, because the legislation cannot be ignored and is needed, because it is better that one unscrupulous person abuse the provision of this legislation than any woman, any child or, indeed, any male be subjected to any form of abuse. As the member for Elder rightly pointed out, abuse can take many forms. Some of them are subtle and some are not so subtle.

Mr Atkinson interjecting:

Mr BRINDAL: The member for Spence says he enumerated every one of them. I agree with the member for Spence: he did enumerate every one of them and he did it very well, and that is more than the member for Spence did, and all he can plead is that he has had a long day. I point out to the member for Spence that the member for Elder's day has been minute for minute as long as that of the member for Spence, but he is still capable of intelligent contribution to the debate and not the rather low class waffle that passes as the Opposition's contribution to everything that happens in this Chamber. So, I suggest that the member for Spence concen-

trate on the decent arguments coming from this side of the House—

Mr FOLEY: On a point of order, Mr Acting Speaker, this is a very important Bill and I have appreciated the quality of the debate to date. I ask you to rule on the relevance of the contribution of the honourable member.

The ACTING SPEAKER: I uphold that point of order, because the member for Unley is getting off the subject. It was a good debate until the past couple of minutes, and I remind the honourable member to keep to the subject.

Mr BRINDAL: I am sorry, Sir, and I totally accept your ruling that the member for Spence is irrelevant.

Mr FOLEY: On a point of order, Sir, that interjection by the honourable member did not reflect your correct ruling, and again I ask you to rule on my original point of order.

The ACTING SPEAKER: The comment was not unparliamentary. If the honourable member wishes to withdraw, I would like him to, but I will not force him. The member for Unley.

Mr BRINDAL: If my friends and colleagues on the other side are offended by such a gentle remark, I most humbly withdraw. I would do anything other than to offend the two wonderful members opposite. They add greatly to the division of the Government—

The ACTING SPEAKER: If the honourable member does not make relevant comments, he will offend the Chair. He will return to the debate.

Mr BRINDAL: Then, Sir, I certainly will return straight to the debate. I have just about made the points that need to be made, and in summary they are as follows. This Bill is necessary. The Government has not brought it before this House for any frivolous reason. It is considered and it is needed. It is needed because people who lack power in our society unfortunately need to be protected. It will have its faults and it will have its failings, as all legislation does, and in passing it I believe we are quite right to lament that in this day and age such legislation is necessary. But it is necessary, and the Government is to be commended for bringing it into this House. We can only hope that, when it is passed, people will accept it for the good that it can do; that the authorities will use its provisions wisely and judiciously; and that any opportunity for exploiting the provisions of this Act will be at a minimum.

In conclusion, it is not entirely without precedent, by any means. I am aware that in the case of an assault there is a requirement to prove only that a person occasioned fear in the person whom he or she wished to assault. A case I once heard in the courts was that, if I am watering my garden and somebody walks past in the street—

Mr Atkinson interjecting:

The ACTING SPEAKER: Order!

Mr BRINDAL: Sir, I do not know whether that was a reflection on you or me. I think the honourable member said, 'Looks and sounds like a member in a balding Government.' I think that is dreadful.

Mr Atkinson: The Baldwin Government!

Mr BRINDAL: If I am using a hose when somebody walks down the street and that person can prove that they were in real fear that I was going to hose them down, I believe that I am guilty of an assault. That is not much different in precedent from the sorts of provisions this law contains. So, I say to the member for Spence that it is not a new type of law: it is one that must be used judiciously. Again, I commend the Government and, particularly, the speakers on this side of the House who have spoken very well in this debate.

Mr SCALZI (Hartley): I also support the Bill. At present the laws regarding domestic violence are not clear. They do not go far enough. Given the well publicised increase and reporting of domestic violence cases, it becomes clear that a Bill such as the one before us was necessary. That was the promise at the last State election.

The Government is to be commended for introducing such a Bill. I commend members opposite for their support of the Bill. As the member for Unley has rightly said, and we all agree, it would be better if such a Bill were not necessary. However, we do not live in a perfect world and unfortunately we see the effects of domestic violence all too often. Legislation such as this will hopefully prevent some of the sad cases we see reported in the newspapers.

Unfortunately, the home is not the safe haven that we would all like it to be. It is a paradox that that is where the individual is nurtured, gets his or her identity and where, in some cases, that individual is at greatest peril. It is a sad irony but it is true. Any responsible Government and society must do their best to protect the individual in any case. Although much domestic violence is directed towards women, the Bill, of course, covers both men and women. However, it is true that the domestic violence that occurs is primarily against women and it should not be tolerated. I again compliment the speakers before me who have outlined the Bill so well, and I support it.

Mr VENNING (Custance): After listening to the debate this evening I feel compelled to rise and support this measure. I congratulate my colleagues on both sides of the House for their very good and heart rending contributions tonight. In the past many would have classed this type of Bill as unnecessary. However, things are different in the modern day and age with the stresses we are suffering. I have always said that this Parliament makes too many laws, but it is necessary in the 1990s to have legislation such as this. As my colleagues have said, that situation is very disappointing.

In my part of the world—the rural area—domestic violence would have been unheard of or unmentioned 15 years ago. We knew it was going on but it was not featured. We all know that it is going on because people now talk about it. However, the situation in the rural community is worse because of the crisis and the poverty that exists. Partly because of the stress that is being experienced in our community, we are seeing an increase in domestic violence and in the number of suicides.

The definition of domestic violence has been stated very clearly in this Bill. I support the member for Unley in relation to establishing the age of 18 years as the age at which a person is defined as an adult. I find it very inconsistent and confusing that every time we examine a law we have to check to see whom we class as an adult. In some cases 16 years is the relevant age, while in other cases it is 18 years, and in some cases it is 20 and 21 years. We should standardise the definition. I would be happy to support the age of 18 years in all cases, including the age at which a person may obtain a drivers licence, and that could upset a few people.

I compliment the member for Elder for spelling out the definitions of all the relevant terms relating to domestic violence. However, I think he missed one area. Domestic violence has many forms. I often think that partners of members of Parliament are subject to domestic violence

because they have to put up with the vocation that their partner has chosen. Most partners of members go through a lot of hardship, having to live a life that they would not otherwise have chosen because we members, both males and females, have decided to come into this place. In my view, that is a form of domestic violence with which they must contend. I do not think it would be too unkind to my colleagues if I were to say that we could all treat our respective partners better. If any member disagreed, I would certainly like to know why. Like the rest of my colleagues—

Mr Brindal interjecting:

Mr VENNING: I cannot speak for the member for Unley, because at the moment he is single. I know that most of us would like to be with our partners more often and to treat them a little more kindly than we do. I know that when I go home—and it is for only a couple of days a week—although I am a friend to all during the week, when I get there I am often unloading the problems of the week. It is the beloved wife who gets it for the first couple of hours. I then feel better and, of course, she feels much worse. That is all part of a domestic situation.

This is the Year of the Family and it is very fitting that we are discussing this Bill in the closing hours of this session of this forty-eighth Parliament. This Bill needed teeth and to be clarified. It provides against a situation which we all hope will greatly improve in the years to come. With the new Government now in power, I am sure that things generally will improve. With that improvement, we hope that the domestic situation particularly of families and young people will also improve. We all know that that would solve many of our problems right across the spectrum of juvenile crime, including the problems being experienced in our schools, and it is certainly hoped that it would reduce the number of suicides that often accompany such problems.

The whole situation is tied up with the environment in the home. We must return to true values, and basically they are home values. In the Year of the Family I have much pleasure in supporting this Bill and I congratulate the Minister for introducing it.

Mr FOLEY (Hart): Given the nature of debates that have taken place in this House over the course of the past two or three months—

Mr Brindal interjecting:

The DEPUTY SPEAKER: I hope the member for Unley is not treating frivolously a very serious issue.

Mr Brindal interjecting:

The DEPUTY SPEAKER: I did hear the honourable member's speech, and I do not want to misjudge him.

Mr FOLEY: Thank you, Mr Deputy Speaker. I always feel confident when you are in the Chair when the member for Unley is in the Chamber. This is drawing to an end the very first session in which I have had the opportunity to participate as a member of Parliament. The nature and quality of the debates we have had in this House have been mixed. However, this would have to be one of the most important pieces of legislation we have debated in the Chamber this session. Much has been said about economic issues, and no doubt the Deputy Leader, who is responsible for economic issues for the Government, has had an important role in debating many such issues. However, it is important that this Parliament recognises that there is more to governing this State than simply dealing with the economics.

With a Bill such as this it is important that we have constructive debate and that this Chamber and, indeed, this Parliament enacts such an important law. I think there can be no more important law than this Bill. It is appropriate as we wind up this session that we deal with a matter as important as this and that we show the citizens of South Australia that there is more to this Parliament than simple rhetoric, point scoring and debate about the quality of our economy and our financial situation. We need to demonstrate that we are actually able to debate important social issues and, in doing so, frame very important social legislation.

As I have flicked through this Bill and read its provisions, and as I have listened to the debate, it has become clear that there is no disagreement from any member in this Chamber. There may be differing views or emphasis on some parts, but clearly it is one of the very few Bills that I have witnessed in this Chamber where there is almost complete unity in relation to the quality of the measure. With an electorate like Hart that is a diverse electorate but one that has a—

Mr Venning interjecting:

Mr FOLEY: Custance would have many of the social problems that my electorate has albeit perhaps from a slightly different angle. Hart is an electorate that has a high proportion of women who have unfortunately been the victims of domestic violence right across the broad spectrum which the member for Elder so eloquently described earlier. I feel that many members of the community I have been elected to represent will benefit directly from what this Bill is doing in terms of framing important safeguards not only for women but for everyone in our community. I think it would be acknowledged by all members of Parliament that domestic violence also happens among men as it obviously happens among women.

I, as a member of Parliament in an area like Hart, have spoken to many constituents with problems involving domestic violence. Quite often they were not physical problems. I was interested to hear the member for Elder's remarks. I thought it was a particularly good contribution, putting a focus on something like this that involves not just physical abuse—not simply abuse that is apparent because you can see a bruise or cut or for that matter you hear a scream.

I have constituents in my electorate who have been abused through deprivation of almost their basic human rights to function as a person in the community: to be able to come and go freely from their home or to simply do the sort of things that all of us should be able to and actually do. Constituents come to see me who have been deprived of any economic means. Their spouse has simply not allowed them to function as a decent person in society and has not provided them with an income on which they can live. There are many cases like that in my electorate and I am sure other members of Parliament could cite equally traumatic and unfortunate incidents.

In conclusion, I repeat the point that as we wind up this session, particularly for us new members here tonight—and there are many of us—I think it is important that for once we are debating something that will do good for the community in a social sense and that we are demonstrating to the people of South Australia that there is more to governing this State than simply dealing with the State's finances.

The Hon. S.J. BAKER (Deputy Premier): I appreciate all members' contributions to this debate, dealing with a vital Bill that represents an important landmark for this Parliament and the people of South Australia. The measure has bipartisan support and some of the initiative comes from the former

Government. The present Government cannot claim within the bounds of this Parliament that all wisdom prevails on this side of the House. We would never claim that. As we have seen with previous measures, some of those initiatives have been taken elsewhere, although we have pursued them and taken them to the point where they are now before this Parliament for debate.

Domestic violence can take a number of forms, and I noted various comments from members as to what domestic violence could entail. I do not necessarily hold to some of the views expressed because there are moments in any relationship where perfection is not achieved. Indeed, people tend to become aggravated with one another, to abuse or get excited with one another, and in most cases we hope they make up after the event and are back together again.

In terms of extending the range of crimes coming under the Domestic Violence Bill, we should be reasonably careful about what we are really doing. I note that when people really want to be nasty with each other all those elements that were mentioned tonight can be part and parcel of the violence that is perpetrated. Many relationships that have developed over time—marriages and just people's relationship with each other—have been fraught with misadventure on occasions, yet those relationships have survived to become very strong and loving partnerships.

Mr Brindal interjecting:

The Hon. S.J. BAKER: The member for Unley says I have been married a long time, and I hope to be married a lot longer.

Mr Atkinson interjecting:

The Hon. S.J. BAKER: The member for Spence is exactly right: I am a very fortunate person. I can say that every marriage has its moments and sometimes they are caused by a variety of things such as parliamentary service, involving time spent away from the family and from the house. They can be financial stresses and strains that normally hit most average families. A whole range of influences can affect those relationships. Some relationships can turn violent, and we have heard about that all too often. As members have indicated, most domestic violence is hidden. We do not necessarily see, except for the drawn faces and sometimes the tears, the outcomes of that violence except when someone has suffered severe physical harm. The physical harm we see when one has been bruised and battered is the very tip of the iceberg and we should be aware that in certain parts of our community wife bashing happens to be an accepted way of life and the standards that we set ourselves are not necessarily those set by other people.

With this Bill the Parliament is clearly setting its stamp on what it expects out of human behaviour. It expects other people to be treated like human beings. It does not want to see the excesses that seem to be growing more and more prevalent in the way we address each other. I suppose that if we went back 100 years and looked at the domestic situations that prevailed at that time we would say that the incidence of domestic violence has actually decreased quite dramatically. History paints a very interesting picture. The change of attitudes, the Christian ethic and a number of new moral standards which evolved during the twentieth century were not common to most civilisations for the previous 2000 or 3000 years. We have developed a new moral standard. We have reflected it in our laws and have reflected it in the Bill before us tonight.

It is important to keep the matter in perspective and not treat every incident that arises, whether it involves a difference of opinion with voices being raised and occasionally threats being made, as a matter of domestic violence. In this Bill we are talking about the ill treatment of other people occurring on a continuum, not the occasional flashes. We are talking about the situations which develop over a period where people become angry with themselves and take that anger out in a violent fashion like many of the instances mentioned here tonight. This often occurs in combination: when people are angry with themselves and other people they tend to react very poorly. Some of them react in a physical fashion, while others resort to depriving companionship, maintaining silence or exerting mental pressures.

It is difficult to judge other people on our own standards because, as members of Parliament, we generally come from a reasonably privileged set of people. Some started from very difficult childhoods, but nevertheless we rise to a position and the public keeps an eye on us. Therefore, sometimes the things we talk about in Parliament are not necessarily the same experiences that this Bill wishes to address. All parliamentarians are a reflection of the general community, so I suggest that there may be one or two examples in this Chamber or elsewhere where these problems do arise, and that is no reflection on any member in this Chamber.

I commend the Bill to the House. I thank all members for their very thoughtful contributions to the debate. It will not solve the problem, but it will set a standard and, by setting a standard, we may indeed change the way people address themselves or treat themselves. It is important that, whilst we cannot solve the problems, we can at least say to the community at large that this is what we expect of them or, if they do not treat each other like human beings, there will be some severe repercussions. Additional assistance is available in the Bill for those subjected to domestic violence in terms of restraining orders, and the ultimate sanction is provided under the Bill for the offenders.

As the member for Hart said, it is an important Bill which gets away from some of the economic arguments that have certainly formed the main portion of the legislation put before this House in the first sitting of this Government. I hope that we will see as much attention paid to some of the more prevailing issues, including the environmental issues and other areas that we as a Government must address and that we as a nation and a State must address in terms of our relationship with ourselves, with the various components of industry and the public sector, between the various religious groups, the various national representatives and those from other countries who seek to form a relationship with us, whether it be in trade, politics or whatever. As Treasurer my legislation tends to be very dry in that it tends to address monetary matters. I am pleased on occasions to have the opportunity to take up issues such as this on behalf of the Attorney in another place. I thank all members for their contribution.

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

SUMMARY PROCEDURE (RESTRAINING ORDERS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 May. Page 1119.)

Mr ATKINSON (Spence): The Opposition has carefully scrutinised the clauses of this Bill, many of which are

consequential on the previous Bill. We have found nothing about which to object and, accordingly, we support it.

The Hon. S.J. BAKER (Deputy Premier): I thank the honourable member for his support. He has obviously read the Bill with a great deal of interest—

Mr Atkinson: At my kitchen table.

The Hon. S.J. BAKER: At his kitchen table. Obviously the Bill has passed the scrutiny of the Opposition. It is ancillary to the Domestic Violence Bill and beefs up the capacity to implement restraining orders. It is an important adjunct to that Bill, and it is important for some very practical reasons also. I note that the issue of firearms and other important matters have been addressed in the Bill. The Opposition is most gracious in its support, and the Government is pleased that this Bill will now pass the Parliament.

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

ADJOURNMENT DEBATE

The Hon. S.J. BAKER (Deputy Premier): I move:

That the House do now adjourn.

Mr VENNING (Custance): For the benefit of new members I will refer to my favourite subject tonight. They have not heard me on this matter before. I am referring to railways. On the northern roads we see road trucks pounding down the bitumen, carting grain from Gladstone where a large bunker facility has been built in the past year to cart grain to Wallaroo on bitumen and dirt roads, or what is left of them. It always annoyed me that, alongside this road, for almost three-quarters of the way is a very good quality railway line. For the last few kilometres from Snowtown to Wallaroo the railway line is still there but is closed. It really gets up my nose when people with average or above intelligence and more than their share of commonsense allow this to continue.

Trucks are driving along roads not designed for their weight, driving on council roads which for part of the way are not bitumen. The journey is over 100 kilometres—about 140 kilometres. Anything over 100 kilometres is considered to be the distance where the railway comes into its own. Under that distance it is more economic to use a road truck. When I go home on the weekend—

The Hon. M.D. Rann: You don't go home on the train?

Mr VENNING: No, I wish I could, if the Government would see fit to instigate it. I travelled on the last passenger train on the line. The Mayor, Joy Baluch, and I travelled on that line with the coffin, and it was a sad and solemn day indeed. That was the last day of the passenger service. When I go home on weekends I hear the trucks (and I admit that I own trucks), one after the other, carrying up to 50 tonnes, rumbling down the road on their way to Wallaroo. Something is seriously wrong. When we see grain trains go past and we realise how many tonnes can be carried on a grain train and how many trucks are required to carry the same weight, we have a serious problem. It really gets up my nose that we allow this to happen.

I have called for the urgent reinstatement of the Snowtown-Wallaroo railway line to take the bulk grain traffic off the district's roads. The railway line is still there—all we need is the will to reopen it. We need to ask Cooperative Bulk Handling to reinstate the rail unloader at the terminal site at Wallaroo, which has always been there but which, when the silo was upgraded three or four years ago at a cost of $80m, was not upgraded, and that brought about the necessity to close the railway. I get very upset. I will approach the Minister for Transport (Hon. Diana Laidlaw) in another place on this matter to seek urgent attention in respect of the feasibility study that is obviously needed to be done on this.

As I said, in the past few days we have seen a large number of trucks taking the grain down from the enlarged bunker complex that has been built at Gladstone, as my colleague the member for Frome would know because he is involved in the industry as much as I am. This procedure occurs several times every year, and we must do something about it. This site leaves me in no doubt that we need to restore that railway line in order to provide flexibility so that we do not have these heavy trucks rumbling over the roads. It is alarming to see the damage that has already been done to the roads—and not all these roads are State highways—when we consider that we have not had any rain. That is tragedy enough, because every day that it does not rain costs South Australia a lot of money, as we have passed the second week in May, which is the optimum sowing period for most of South Australia's grain growers. The lack of rain concerns us very much indeed. It has been so dry for so long and we have not seen any ground preparation at all—almost zero.

I hope that it rains very shortly, but what that will do to the roads that are being hammered by these trucks is that, as soon as the moisture comes down and gets into the small grooves in these roads, the damage will increase four-fold. Although we need rain urgently, when it does rain it will make the problem much worse. The piece of road by Port Broughton is a council owned bypass dirt road. The council has bituminised a bit of it, but it is causing the council a lot of concern. That road is in the member for Frome's area, and he nods his head in support.

We have excellent links from Port Pirie and Gladstone to the south with our railway system, which is an excellent railway system of world class standard that has recently been upgraded. It is a very good facility with an up-to-date system with its communication and connections—a completely seamless rail line of world standard. It grieves me to realise that this excellent system is only about 30 kilometres from the terminal, and the line from Snowtown is still there. The trains could be diverted to there at the flick of a switch, and when they get to Wallaroo I am sure there would be a way to unload these trains. In the next few days after the Parliament rises I will go to Wallaroo to see whether we can do something in the short term that will allow us to unload these rail wagons, such as putting rails over the grid because there are no trucks coming over at the moment—or there should not be. There must be a way in which we can do that because we certainly have a problem.

It will also provide the system with flexibility. We all assume that the grain comes south from Port Pirie or from Gladstone to Wallaroo. If a ship loading at Port Pirie was 1 000 tonnes short of a load, there is no reason why 1 000 tonnes could not come back from Wallaroo up the railway line to Port Pirie. That is what we call flexibility, and we need flexibility in the system so that we can move grain quickly and cheaply but, above all, so that we can maintain and protect our roads from the absolutely merciless pounding they are taking at the moment.

It is total nonsense to go up to the Mid-North and see what is happening. We see string upon string of these heavy B-doubles with huge horse power. When they go around the

corner you can see what is happening to the road—it almost moves with the trucks. I know that many of the truckies get cross with me when I talk about these things. I was in the hotel at Crystal Brook the other night and a couple of truckies had a go about me about my public outpourings on this matter last week. One of them said to me, 'I think you're dead right and, pardon the pun, you're on the right track.' So, there are two sides to this argument.

These trucks are running at all hours all weekend mercilessly down this road. The district councils of Bute, Snowtown, Port Broughton and Crystal Brook are all concerned, and the district council of Wallaroo would be only too happy to assist so that we could have less road trucks and more grain trains going to that silo. That rail line must be considered, particularly when we talk about the deep sea port option. That rail line exists but has not been used for four or five years—I do not know for what reason, but I think it must be the fact that Cooperative Bulk Handling did not upgrade the rail unloader.

I will speak to the powers that be—Mr Jeff Clift, the Chairman, and to the board—and ask them to immediately carry out a feasibility study so that we can use these trains. As I said, it concerns me greatly to see what is happening. It is just not commonsense, and I get pretty upset. As I said, it is very lucky that it has been dry because as soon as it gets wet the situation will be much more serious. I will be interested to see what the new ports authority decides because that, too, is tied up with this railway line. I am confident; I am a betting man, and I wager that this railway line will come back into service. My plea tonight is that it comes back into service immediately, while we still have some roads for our cars to drive on. As you would know, Sir, one truck does the same amount of damage as 26 000 motor cars—that is the minimum. So, let us hope that commonsense prevails and we reopen the railway line from Snowtown to Wallaroo.

Ms STEVENS (Elizabeth): I would like to take this opportunity to complete the debate I began earlier today when I ran out of time. I was speaking about the review of the 1993 SSABSA result procedures that were instituted by the Senior Secondary Assessment Board as a result of problems experienced in the 1993-94 results release cycle. When I spoke earlier, I outlined the problem and the formation of a committee of review and I talked about the context of the review and briefly went through the 10 broad categories of recommendations that were brought forward by the committee. The committee also prioritised those recommendations for action. Those that it said required immediate action were: the review of the 1993 results; the decisions in relation to the use of the SASO software package and the development of the new system; the overhaul of the Information Systems Branch, because there were significant management problems in that branch; consultation and coordination processes between SSABSA and client groups including students and schools; staff consultation and management within SSABSA itself; and action on the dual reporting issue.

The matters that the committee said required attention in the medium term—that is, in 1994—were: improved communications with schools; improvements in production scheduling and scrutiny of computer operations; results release coordination; and the allocation of resources. The situation that occurred last year and at the beginning of this year must not be repeated. The credibility of the South Australian Certificate of Education and the future of our young people is put at risk when the results procedures fail to come up to scratch.

SSABSA and the review committee are to be congratulated on a most comprehensive investigation and a most comprehensive process of consultation and deliberation in arriving at their recommendations. These recommendations must be implemented. Resources must be forthcoming to support their implementation, particularly in relation to the redevelopment of the SASO software package. Issues in relation to management structures and staff morale must be addressed because they are crucial to the remainder of the recommendations being implemented. A culture of client service must be established with students, schools and within SSABSA itself.

I have been informed that a number of decisions were taken by the Director of SSABSA with the approval of the executive to begin implementation of some of the recommendations of the report. These were announced at the April board meeting, but they were taken before the full board had even read the final recommendations of the committee. They also involved shuffling positions of existing senior staff, one of whom had supervisory responsibility for an area of the organisation where serious problems had occurred and is now responsible for support of that area and advice to the Executive Manager on that area.

Finally, I have been informed that these appointments were made without following procedures outlined in SSABSA's own policy for filling short-term acting positions. It is important to get on with the job and to be seen to be making immediate changes and immediate attempts to redress problems. However, the process used in doing this seems to highlight some of the management issues that the report stated needed to be addressed. I call on the Minister to give the Parliament and the people of South Australia a full assurance that all necessary steps will be taken to ensure the future accuracy and integrity of the SSABSA results procedures.

Motion carried.

At 9.32 p.m. the House adjourned until Thursday 11 May at 10.30 a.m.