

## HOUSE OF ASSEMBLY

Thursday 27 July 1995

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

## SOUTH AUSTRALIAN HEALTH SERVICES BILL

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

That the sitting of the House be continued during the conference with the Legislative Council on the Bill.

Motion carried.

## GREAT AUSTRALIAN BIGHT MARINE SANCTUARY BILL

The **Hon. M.D. RANN (Leader of the Opposition)** obtained leave and introduced a Bill for an Act to constitute the Great Australian Bight Marine Sanctuary; and for other purposes. Read a first time.

The **Hon. M.D. RANN**: I move:

*That this Bill be now read a second time.*

It seeks to establish a sanctuary over an area in the Great Australian Bight to protect the critical breeding and calving areas of the endangered Southern Right Whale and the breeding colonies of the rare Australian sea lions. The boundaries of the sanctuary and management provisions adopt in full the recommendations made to the Government in the draft management plan for the Great Australian Bight Marine Park, dated February 1995, prepared by the South Australian Research and Development Institute (SARDI). It is interesting that the Government has in fact suppressed the SARDI report. The Government has refused freedom of information requests by the Wilderness Society and maybe others to release the SARDI report and recommendations. I have a copy of the SARDI report, so I will be very pleased to assist the Wilderness Society and others with that information.

This Bill is based on the SARDI report recommendations. Included in the plan are recommendations for the establishment of the sanctuary as part of the marine park. Conservation values are high in this zone and priority is given to managing the area to protect the very high natural and cultural values. The sanctuary will protect the endangered Southern Right Whale and the Australian sea lions by prohibiting activities that potentially threaten or disturb the species in the area, such as public access, fishing, mining and mineral and petroleum exploration. Potential threats include fishing net entanglements, vessel strikes, vessel crowding and acoustic disturbances from boats' engines, seismic blasting and low flying aircraft.

To protect a representative sample of the marine habitats in the region, habitat disturbance is prohibited. The establishment of the sanctuary will provide the highest level of habitat protection and protection for the flora and fauna, free from human disturbance. The sanctuary is the most important site for Southern Right Whale calving and breeding in Australia and over half the number of calves born in Australian waters are born at this site. The sanctuary represents the key area where the whales congregate, breed and calve at the head of the Bight and move along the Nullarbor cliffs.

The sanctuary that this legislation seeks to establish is the sanctuary that was rejected by the Government against all

clear advice. The proposals for the Great Australian Bight Marine Park, including this sanctuary, give South Australia a rare opportunity to gain considerable national and international recognition. The management plan recommends that the Great Australian Bight Marine Park should have three management zones: the sanctuary, which is the subject of this legislation, a conservation zone and a general use zone. Under the Commonwealth's Ocean Rescue 2000 Program, States and Territories have been urged to establish a national representative system of marine protected areas in order to conserve biodiversity and promote the ecologically sustainable use of Australia's marine and coastal resources. This proposal complies with that program.

The Minister for the Environment and Natural Resources has backed the marine park plan and has stressed that any park would have to include exclusion zones to protect the fragile breeding grounds of Southern Right Whales and the Australian sea lion. The Minister for the Environment and Natural Resources went so far as to release a statement which stated:

The breeding ground exclusion zone is proposed to be only a small part of the overall Great Australian Bight Marine Park. The proposed park will cover an area of about 8 600 square kilometres of State and Commonwealth waters from near Cape Adieu to near Eucla on the Western Australia border.

The Minister for Mines and Energy disagreed with this, and eventually the Premier was forced to intervene and announce a compromise deal that rejected the draft management plan and declared an exclusion zone over a small area at the Head of the Bight. The remaining recommendations for the establishment of the marine park include the conservation and general use zones that were put on hold. The exclusion zone declared by the Government is a small, temporary sanctuary and covers only 175 square kilometres of the recommended sanctuary area of 552 square kilometres. This compromise zone does not include all the critical calving and breeding areas, and is not of sufficient size to protect the whales or the sea lions.

What we saw by the Brown Government was a half-hearted compromise basically based on public relations—just create a small zone at the Head of the Bight (about 40 per cent of the recommended area) and hope that the public do not notice that it does not actually in any way fulfil the purpose of the SARDI report's recommendations in protecting the Australian sea lion and the whales. The whales at the Head of the Bight are calving mothers. The potential for disturbance from adjacent boats can cause mothers to desert their calves and leave them prone to malnourishment and predation from white sharks. The compromise sanctuary also fails to protect the other critical breeding area at the Merdayerrah Sandpatch, and also the migratory route between the two identified breeding areas.

The Premier also announced that an economic analysis would be carried out and that a new management plan would be prepared before the marine park is established. The establishment of the marine park should, of course, be based on scientific values associated with the habitat. The Government's decision to commission an economic analysis ignores the extensive consultation that took place and the recommendations that took into account existing commercial interests in the area. The preparation of the management plan involved extensive consultation with key interest groups from 1993. A 16 person marine park management plan advisory committee was specifically established in February 1994 to facilitate input into that plan. Non-government representatives on this

committee included those from local tourism, commercial fisheries, recreational fisheries, conservation, local government, Aboriginal communities and other expertise. Government representatives included SARDI as the convenor and representatives from National Parks, Mines and Energy and Fisheries.

The establishment of this sanctuary and the marine park has enormous potential for the development of tourism. Whale watching is a growth business. The estimated direct value of shore and boat-based dolphin and whale watching in Australia in 1993 was \$5 million, employing about 200 persons. In Western Australia operators have reported a growth rate of 50 per cent over five years. At Ningaloo Marine Park in Western Australia whale shark visitors have increased by 400 per cent. In Queensland, two operators reported growth of 100 per cent in two years, and boat-based whale watching, mainly watching humpbacks in Hervey Bay, generated an income of \$3 million in 1993.

The Great Australian Bight Marine Park, including the sanctuary zone, has the potential to generate millions of dollars in direct income to the communities of Western Eyre Peninsula. It was estimated that 10 000 whale watchers visited the area in 1994 and spent over \$500 000.

In particular, I want to mention the importance that the establishment of this sanctuary and the marine park as a whole will have for Aboriginal people, particularly the community at Yalata. The Yalata community supports the establishment of the marine park. Some of the issues already being addressed by the Yalata Land Management Program include the management of visitor entry and impact at the Head of the Bight, visitor safety measures, revegetation of damaged areas, rubbish removal, information kits and the employment of rangers. Obviously the marine park will be of great economic significance to the people of Yalata and other Aboriginal interests in the region. Tourist operators will benefit and employment opportunities will be created.

South Australia is the only State in Australia not to declare any marine parks. We are behind the other States and many developing nations which have declared areas to protect marine habitat and diversity. These include Vietnam, Thailand and the Philippines. South Australia presently has the least proportional area of its jurisdictional waters protected under habitat conservation and management legislation—1.4 per cent for South Australia compared with 20 per cent for Western Australia and 25 per cent for Queensland.

Under this proposal to establish the sanctuary by an Act of this Parliament, 552 square miles (or 6.4 per cent) of the total recommended marine park will be excluded all year round from extractive and exploitative activities such as fishing and mining. While some fishing and mining interests want access to this area for six months of the year when the whales are not present, research has clearly demonstrated that these activities cause disturbance to the whales and their habitat. It is bizarre that the Government is considering a six months on and six months off national park in terms of protection of the whales. Just imagine if we created parts of Kangaroo Island as a national park for six months and open go for the rest of the year. It would be a laughing stock internationally, as it would be with the whales. The key issue is that this habitat must be protected all year round. To suggest that the habitat could be mined in the 'off season' is totally unacceptable and ignores the presence of the Australian sea lions.

It is worth noting the value of existing and potential exploitative activities. The marine park area has poor prospectivity for mineral and petroleum activity, and commercial fishing activity is minimal. For example, less than 1 per cent of southern rock lobsters are caught within the marine park area. The total catch from southern rock lobster fishing within the total area of the proposed marine park was 44 tonnes in 1994. At current prices of \$35 per kilo, this translates to about \$90 000 from rock lobster within the proposed sanctuary zone. It is also important to note that the vast majority of lobster caught in the total marine park area is taken east of the Head of the Bight. This area would be seasonally open under the proposed conservation zone.

The Minister responsible for declaring the marine park is also the Minister for Primary Industries, and this issue has created a major conflict of interest for the Minister within Cabinet. There has been reticence by the Minister to support the marine park proposal and strong opposition to recommendations for the sanctuary. As a result, Australia's international image as one of the world's leading advocates for sustainable management of the marine environment is at risk. South Australia has the opportunity for international recognition by legislating to create this sanctuary. The very fact that the sanctuary will be protected by its own legislation is significant and will send a very positive message to the international community.

We are introducing this legislation in this House today, and it will be reintroduced into the Upper House when Parliament resumes in late September or early October. We hope to enjoy the support of the Democrats to get this Bill through the Upper House and it will then come back here. In the process, I hope that the Government will re-think its attitude towards the whale protection zone. I am pleased to see so many supporters of the whale protection zone appear in the gallery today.

**The SPEAKER:** Order! The honourable member will not refer to the gallery.

**Mr BROKENSHIRE** secured the adjournment of the debate.

## ARTIFICIAL REEFS

**Mr LEWIS (Ridley):** I move:

That this House refers to the Environment, Resources and Development Committee the establishment of artificial reefs as a method of increasing habitat for enhancing population of any desired marine organism (especially commercial/recreational fish and crustacean species) and any other benefits which might accrue and, in particular, to consider—

- (a) what evidence there may be of any existing artificial reef (including shipwrecks and scuttled hulls) creating benefits and/or causing any problems;
- (b) how long after constructing reefs before any benefit has been or could be obtained; and
- (c) what benefit/cost may be obtained depending on—
  - (i) the materials which have been/are suitable and/or acceptable for the construction of such reefs and the cost of otherwise disposing of that material (if it has been regarded as waste or nuisance matter);
  - (ii) the life expectancy of the reef so created proportional to benefits which may be obtained where life expectancy may vary depending on type of material used;
  - (iii) the value of economic growth which such reefs may facilitate through increased availability of fish stocks of any kind; and
  - (iv) the cost savings in sand relocation currently undertaken at public expense if such sites on

which such reefs are located are believed to be capable of providing a beneficial effect on sand deposition/retention on the Adelaide metropolitan beaches,

and make at least an interim report to the House by 30 April 1996.

Whilst this motion appears to be complex, indeed it is not. For that reason, I know that members will not find it controversial at all. The proposal seeks to give the Environment, Resources and Development Committee a reference to look at artificial reefs in South Australian waters as a method of increasing the habitat for the organisms that live there, whether they be fin fish, crustaceans or marine vegetation, and the total biosphere created in the econiche which is provided by the establishment of such artificial reefs: for instance, what will happen if we put one there? The committee needs to look at what benefits and/or problems there may be, and eke out and document the evidence that can be obtained from existing artificial reefs, whether they be shipwrecks or scuttled hulls or created in any other way.

In addition, we would want the committee to look at how long after we constructed the reef it would be before things started to happen, before we would get any benefit and/or create any problem. Then we would want the committee to look at the benefit:cost ratio that could be obtained and whether that would depend on the type of materials used in one or more locations, the cost of constructing them and how long we would expect that reef to remain there once it has been created and what the proportional benefits would be from its life expectancy, whether that be five years, 50 years or 500 years.

We would then want the committee to look at the value of any economic growth which might arise from establishing such reefs because of the impact they may have and the benefit they may produce as a result of that impact of increasing the availability of fish stocks sought by recreational fishers as well as professional fishers. There seems to be some evidence of that, but it has not been documented and no parliamentary committee has attempted to put that information into a context suitable for public consumption so that the public can understand easily what might be involved.

Equally, under that benefit:cost ratio, I hope that we would want the committee to look at any cost savings which might accrue as a result of where we put the reef and the shape that it had in that specific location, as it might affect the way in which sand can be kept on or moved along the metropolitan foreshore. That is a very important point that we need to get on the public record and express in words in a way which will enable the general public to understand whether a benefit is to be derived from putting such reefs in the gulf near the foreshore of the Adelaide metropolitan area, because at present, as a Parliament, we appropriate huge sums of money from taxpayers.

With the assistance of ratepayers through local government along the metropolitan foreshore, we can try to maintain appropriate sand levels there for the benefit of all the people in metropolitan Adelaide and elsewhere in South Australia and, indeed, from other parts of Australia and overseas, to enjoy what we have always taken for granted as our excellent beaches—clean, broad and pleasant places to visit. It costs us a lot of money to keep that sand there by mechanical means at present.

By establishing these reefs, it is thought we could derive considerable benefit from it. Indeed, one of the students I know from the Adelaide University has been looking at this

sort of thing in the maths department, where I am a faculty member, and the benefit to be derived can be seen on his computer model. I believe that, if the House gives the reference, he is the sort of person to whom the committee could go to get information on that aspect. By coincidence, I put on the record that the student happens to be my nephew.

In addition, with a brief of this kind, the committee would need to keep the Parliament and the public apprised of its progress in dealing with the matter. Without wanting to put undue pressures on the committee, it is reasonable for us to require that the committee come back with an interim report saying what it has done and what it has discovered to date, as it were, by 30 April next year. That is the body of my proposal, the purpose of which is to ensure that we can get some realistic appraisal of this matter. Whilst my electorate does not depend much at all upon the foreshore of the gulfs or the coast, nonetheless, as a member in this place, I am equally responsible with all other members for the kinds of decision we make.

Given the amount of time I have spent over the years on looking at this kind of thing and the fact that I am a sometime scuba diver and amateur fisherman, interested also in the marine ecosystems and in how factors within those ecosystems cause them to change, I have felt for a long time compelled to get something of this kind done. I believe now is the time to do it. The committee has settled in. It has been given a number of other references to deal with—waste management, and so on—and under its current Presiding Member (the member for Newland) I am sure we can confidently expect the committee to do a thoroughly good job of the investigation. It is a unique investigation because I do not think any parliamentary committee has in the past examined the marine ecology in any way, shape or form.

For that reason, since it pulls together not only professional interests in fish harvesting from the wild stock but also the recreational activities associated with it, coupled with the concern we all ought to have to secure the future of the marine environment along the State's coastline and in the gulf waters, it will ensure that we get a much clearer picture, in simple enough words for everybody to understand, of what is going on in this respect and how we can have an effect upon it which is minimal in adverse consequences but nonetheless desirable and beneficial in great measure in other respects. I am not prejudiced one way or the other as to the outcome this inquiry will produce for us.

It is likely that the committee will come down in favour of establishing such reefs and will be able to decide where best to locate them, how they should be constructed, what shape they should be, what the benefits would be, and what likely risk might accrue from the different types of material used. Therefore, it should be able to provide for us and for all Government agencies involved the means by which we can do something that is effective, constructive and in no way deleterious.

I commend the measure to members. I have discussed the notion widely among those who have been interested in any aspect of it. This matter ranges widely across many Government agencies, not only the Coast Protection Authority, the Department of Fisheries (as it used to be known; SARDI as it is now known as part of the Department of Primary Industries) and the Department of the Environment and Natural Resources but also across the portfolios of tourism, and recreation and sport.

If we are able to get these reefs established, we will substantially enhance the fish stocks available and be able to

establish fishing competitions in our waters which will attract tens of thousands of competitors, and that will generate economic growth. Therefore, it is not a trite observation that I make in drawing attention to the tourism benefits that could be derived if the reefs can be successfully established: it will be worth mega-bucks to us. Indeed, it has been said before that, if every fish caught in South Australian waters was taken by a recreational fisher, the economic growth and benefit that would accrue would be far greater than is possible simply by professionally harvesting them and selling them for food. That is not to say that the professional approach is an unworthy pursuit but possibly we need to leave wild stock for the recreational fishers who like the fun of the hunt and look more specifically to the greater efficiencies and cost savings that can accrue from producing the desired species in aquaculture.

We should not do as Robin Hood used to do when he needed some meat, that is, go out and shoot a deer running wild in Sherwood Forest. We ought to give up hunting as the means by which we get our fish and start farming them. It is more efficient; it is less damaging to the ecosystem; and it adds to the value our natural resources can provide to us all for recreational purposes. I am sure that change will come over time. This is a simple part of the jigsaw. When you start a jigsaw, as you would know, Mr Speaker, it takes ages to get a few pieces together on the board. But, once you have the framework outlined and the colours and the image beginning to emerge, you can rapidly finish it off. This is the beginning of putting together that jigsaw. That is the reason why I bring the motion forward, and I commend it to the House.

Motion carried.

#### PERSONAL EXPLANATION

**Mr ATKINSON (Spence):** I seek leave to make a personal explanation.

Leave granted.

**Mr ATKINSON:** It has been drawn to my attention that an interjection of mine in the House yesterday after debate on the Road Traffic (Small-wheeled Vehicles) Bill and remarks of mine in the media could be taken as a criticism of the Deputy Speaker. I withdraw any such inference and apologise to the Deputy Speaker. I accept that the Deputy Speaker put the question entirely in accordance with the Standing Orders.

#### ECONOMIC AND FINANCE COMMITTEE: ANNUAL REPORT

**Mr BECKER (Peake):** I move:

That the sixteenth report of the committee (being the annual report for the year ended 30 June) 1995 be noted.

It was with particular pleasure that I presented the report to the Parliament on Tuesday and I now seek that the report be debated and noted. This is the first parliamentary committee to bring down its annual report since 30 June 1995. I place on record my appreciation of the service of the staff and the members of the committee. This committee is getting on with the job and handling its duties as I would expect the Parliament would want it to do. The annual report is a synopsis of what we have done during the year and it highlights some of the good news and some of the bad news. There are problems in handling a committee of the Parliament, as we now have so many committees and very few staff, resources and facilities, and there has been continual disruption to the office accommodation of the parliamentary committees.

It is very difficult to manage, control and operate a parliamentary committee if you do not have stability of staff, adequate telephone facilities and accommodation, and I will deal with that at a later stage. Of many of the inquiries that we are currently proceeding with, the one that has caused me quite a number of problems relates to the number of boards and committees. Ever since I have been a member of the Public Accounts Committee, I have endeavoured to ascertain the accurate number of statutory authorities and committees. It is physically impossible. I cannot understand why, but for some unknown reason we cannot get an accurate read-out of all the statutory authorities or private trading enterprises of the Government and committees.

In April 1994, the committee commenced consideration of a range of issues relating to boards and committees and sought background information and briefing on what records were available regarding these bodies. In May 1994, the Commissioner for Public Employment was requested to provide details of the boards and committees system (BACS) and to provide a print-out of reports from the system. This material was provided along with an explanation of the system's reliance on updating information through the offices of Ministers. The fact that the system has not been kept regularly up to date, despite the efforts of the Commissioner's staff, was obvious from examination of reports generated from BACS. There were many gaps, anomalies and out of date and conflicting entries.

One of the most important report formats (Report 4: Committees to be reviewed by (date)) was intended to provide an advance warning to the agency responsible for any committee where a review date has been set by the Minister's office, the agency or by sunset provisions in enabling legislation. Several of the committees listed had review dates were which were long past but no updating had occurred.

Since this reporting period, we have received a category 1 board list, which we can now consider up to date and reliable information, and we shall keep monitoring that report and progress of the boards and committees. However, it is just one of those bureaucratic nightmares that we find from time to time. The other ongoing inquiry is outsourcing. The terms of reference for this inquiry as adopted by the committee on its own motion on 15 February 1995 are:

- To investigate the effectiveness of current and future outsourced activities in order to determine whether agencies are achieving their stated outcomes.
- To recommend the appropriate mechanism for Parliament to effectively monitor outsourced contracts.

We believe it is most important that we start now to find out the outsourcing activities of the Government so that in 12 months' time we will be able to compare the success and the benefits to the State of outsourcing. Evidence from several inquiries, as we have reported, means that it will be considered by the committee and we will play a monitoring role.

We did look at the nature, the level of use and cost of legal services for South Australian Government agencies. In its seventh report (Inquiry into the Use of External Consultants by Government Departments and Statutory Authorities, July 1993) the committee commented on the use by statutory authorities of legal services from private sector and supported the trend towards increased use of the Crown Solicitor, concluding:

As the services provided by the Crown Solicitor are generally cheaper than those provided by the private profession greater use by statutory authorities should result in the reduction of the legal cost payable.

The committee was therefore concerned to follow up whether the trend to increasing use of the Crown Solicitor had persisted and the present extent of the Crown Solicitor's coverage of public sector agencies. We wrote to the Crown Solicitor, and interviewed him and a representative of the Law Society. Among the major findings from the briefing, hearings and supporting documents were: the cost of legal services for the public sector are approximately \$40 million per annum; the Crown Solicitor undertakes legal services costing at approximately \$10 million per annum, or 25 per cent of the total; the largest proportion of services dealt with by the private sector are for SGIC, which has negotiated terms lower than the market average because of its buying power. The Crown Solicitor gave evidence indicating that full costs of services provided by his office were at or below \$100 per hour, well below the most commonly charged private sector rates.

The Law Society disputed suggestions that private sector legal services were overpriced and argued that, if this had been the case in the past, it was no longer the case. The Law Society conceded that in some private sector firms the high overheads related to senior level salaries resulting in charges higher than that of Crown Solicitor, but suggested that in value for money terms the simple hourly rate comparison was inappropriate, as a very experienced and specialist senior partner (charging, say, \$200 per hour) may complete a task much more quickly than a relatively junior staff member (charged at \$100 per hour)—the total cost of service may therefore be less even when the hourly rate was higher. The Crown Solicitor considered his office was not in a position to expand significantly in staff numbers or accommodation without incurring diseconomies, and therefore he was not actively seeking an increased proportion of public sector work.

The Law Society argued that, except for a very small percentage of poor legal work, all public sector legal services should be open to competition with the private profession eligible to bid for work currently undertaken by the Crown Solicitor for Government departments. On page 32 we reported that:

Following consideration of all material, and the Attorney's policy decision to introduce the new scheme, the committee decided that it was inappropriate to pursue a formal reference on the matter at this time. It is likely that the position will be reviewed periodically.

The committee was again asked to look at the South Australian Urban Land Trust, Golden Grove and other joint ventures. Several arguments were put forward to us by a television and newspaper journalist, but they were not supported by the information examined by the committee and reported on page 38. The committee concluded that the critical issue is that subsequent joint ventures have proceeded differently with the benefit of experience. The latest release of land from the South Australian Urban Land Trust's holdings is to be sold outright to developers: SAULT will not enter into a development venture itself. The committee therefore decided not to adopt the formal reference on this matter. The committee will, however, continue to pursue its interests in tendering processes undertaken by Government agencies, both the major development projects and as part of outsourcing of functions, with the expectation that such processes will be transparent and subject to full accountability requirements.

The committee also inquired into asset management and, in April 1995, it resolved of its own motion to review the topic of asset management in the public sector, commencing

with an overview of asset registers. The committee's first report in 1992, 'Public Sector Asset Management Developments 1988-91', followed up nine reports of the Public Accounts Committee regarding various aspects of asset management. The Deputy Premier and Treasurer advised us that the Department of Treasury and Finance does not keep copies of the asset registers of agencies, which are diverse in form and extent. Rather, the approach has been to specify a standard set of information which agencies need to supply for a State asset register.

The Deputy Premier's response explained work which is in hand to develop the State asset register so that the Government and the Parliament will have accurate information about the number, value and use of the assets controlled by Government agencies. This is being done in two stages. The response notes:

While there has been a requirement for agencies to maintain asset registers, it was quite clear that compliance was inadequate in some agencies and the information contained in registers in some cases was not adequate for Government purposes.

Page 40 of the committee's annual report provides the Treasurer's conclusion, as follows:

You will appreciate that the development of the State asset register to its current state has been a major exercise and further development work remains to progressively refine it. It is quite clear, from the efforts entailed, that the state of information previously contained in agency asset registers needed improvement and refinement. Further work is needed to complete (Stage 2) of the project so that comprehensive information is available on the assets of all agencies.

In view of this response and the workload with other inquiries, on 31 May 1995 the committee resolved that it would not actively pursue this reference at present. It is the committee's intention to keep a watching brief on this issue and to follow up progress with the development of the State asset register and the maintenance of adequate registers within agencies. The committee expects that, by the end of 1996, the anticipated date for full adoption of accrual accounting, all aspects of asset registers will have been brought to a higher standard.

On page 40 of its document, the committee reports on its findings on the Adelaide Convention Centre and the allegations of nepotism, and concluded that the Government does not appear to have a policy on nepotism and statutory authorities as it does for the Public Service. It is my personal opinion that the Government should give serious consideration to that matter.

Another role of the committee as provided in the legislation is to handle the affairs of the Industries Development Committee. There are four members of the Economic and Finance Committee who are members of the Industries Development Committee, with an officer of State Treasury being the fifth member. The member for Unley, the member for Hart, the member for Playford and I are the Economic and Finance Committee members on the Industries Development Committee. It is a very interesting and challenging committee, and its functions are to investigate and report on such matters relating to assistance to industry as are referred to the committee by the Treasurer and to perform such other functions and duties as are imposed on the committee by the Act. The functions of the committee include investigations of matters referred to it under or pursuant to any Act and the making of such reports and recommendations on any such matters as the committee thinks fit. In other words, we are there to inquire into assistance sought by various organisations. The work of that committee is not paid. Indeed, it is the

only parliamentary committee that is an honorary committee. We met on nine occasions and considered 10 proposals.

The year under review was the first period in which we had a full-time research officer and we had one secretary for nine months whereas previously we had five different secretaries. The staff is arranged through a coordinator at Parliament House. It is with regret that we learnt a few days ago that the secretary of the committee, Mr Knut Cudarans, has accepted a promotion with the Children's Services Office, and all members of the committee and I know that he will handle that position in a very efficient, exemplary manner, as he has carried out his duties to this committee. Mr Cudarans has been a major asset to the committee in the past nine months and has restored the committee to the high standard that the Parliament expects. I pay tribute in this motion not only to the work of our research officer (Val Edyvean) and other parliamentary staff but also to Mr Cudarans. I recommend the adoption of the report.

**Mr QUIRKE (Playford):** The Opposition concurs with the remarks made by the honourable member. We want to put on the record that the secretary of the committee, Knut Cudarans, is departing for greener fields or browner fields, whatever the Children's Service Office will turn out to be. We wish him well, as I am sure does every member of the committee.

Motion carried.

#### **PUBLIC WORKS COMMITTEE: MOUNT GAMBIER TAFE**

**Mr ASHENDEN (Wright):** I move:

That the eleventh report of the committee on the Mount Gambier TAFE campus redevelopment be noted.

Mr Deputy Speaker, I am sure that this report will be of interest to you, and I am pleased to speak to it. The Mount Gambier operation of TAFE currently functions from two major campuses at Wehl Street and Wireless Road. These two sites are some four kilometres apart in the city of Mount Gambier and the buildings at both campuses are inadequate for the demand being placed on them by student enrolments, award restructuring, changes to curriculum, competency-based learning, implementation of new initiatives and open learning and distance learning programs.

In addition, the institute is using facilities at the old Park Hotel off campus. This is inefficient in terms of duplication of resources, staff costs, student transportation time loss and the risk of accident. Buildings at both campuses are energy inefficient and expensive to maintain.

The project proposes both the construction of new buildings and the refurbishment of two existing single storey buildings at the South East Institute of TAFE, Wireless Road campus. This will enable the relocation of existing programs from inadequate accommodation at the Wehl Street campus, Mount Gambier, and facilitate the expansion of training programs, increase productivity and consolidate the Mount Gambier operation onto one site.

Submissions were sought from four major architects and, following an evaluation of the submissions and interviews, Woods Bagot architects was appointed as primary consultant. That company was assessed as having the most qualified and experienced design team in educational architecture and planning successfully to deliver such a project.

The scheme produced by the design team has been developed in close consultation and collaboration with a wide

range of key personnel including representatives of the Physical Resources Branch of the Department of Education, Training and Further Education (DETAFFE), Adelaide, Mount Gambier TAFE, the District Council of Mount Gambier, the City of Mount Gambier, and local community and industry representatives. It is estimated that the works will cost about \$13 million.

The development is planned to overcome critical accommodation deficiencies which exist at the Wehl Street campus and to exploit potential economies and significant gains in productivity enabling more training programs to be offered without the need for additional recurrent funds. Delivery of these programs is to a population base of 65 000 people spread over 20 000 square kilometres.

It also provides the only access to higher education in the region and liaises with interstate training authorities, particularly in Victoria. It is a recognised national training centre for timber technology and saw doctoring. The site for the proposed redevelopment is the existing Wireless Road TAFE campus. It is four kilometres north of the commercial town centre and is identified as 'urban fringe area' on the Mount Gambier structural plan map of June 1987. The area adjacent to the site is generally rural in nature, with new residential areas being developed to the south of Wireless Road.

Vehicular access to the site is available from Wireless Road and Torrensedale Road, and public transport support is scheduled to be increased from its current level when the redevelopment is operational. The total area of the site is 18 hectares, of which TAFE will occupy seven hectares for the current accommodation, with the remaining site providing opportunities to accommodate existing rural programs and future expansion.

Several other options were considered in the development of this proposal, including the upgrading of both the existing Wireless Road and Wehl Street campuses and the consolidation of the Wireless Road and Wehl Street campuses together with an upper secondary school component on a separate site.

The principal argument supporting the Wireless Road upgrading is the lesser cost of the project. The separate site option entails an additional \$3 million of building cost to replace existing Commonwealth-funded infrastructure at Wireless Road. The capital costing of upgrading both existing campuses was of a similar order but does not allow for savings in recurrent costs. In addition, the preferred option will allow Wehl Street campus to be sold, allowing realisation of this asset to offset redevelopment costs. The physical planning for the TAFE component of the Wireless Road campus is so designed to make it possible for a future upper secondary facility to be added, although the TAFE component will not be reliant on the joint facility to achieve the suggested economies.

Consultation has been extensive and has occurred on all aspects of the redevelopment *via* a series of over 200 meetings, many open to the public. The results of these consultations have now been published and widely circulated for comment. Evidence provided to the Public Works Committee indicates that the existing TAFE facilities are inadequate to meet present demand, and the institute can make productivity savings by consolidating at one site. By bringing two campuses together, the institute will be able to meet present and emerging needs, and considerable gains can be made to efficiency of utilisation, operational organisation and product delivery.

The development of the new facilities will enable the institute to further advance the role of the two major cam-

puses at Millicent and Naracoorte and the learning centres at Penola, Kingston, Robe, Keith and Bordertown through a more appropriate and flexible delivery system. An essential feature of the design objectives is to create a campus which has the flexibility and potential to accommodate the changing needs of education, rapid change in technologies, and to facilitate commercial joint ventures which may occur in future.

There has been extensive consultation with industry, education, Government agencies, other providers and, in particular, the educational managers and staff of the institute, and the TAFE council has been closely involved with the concept since inception. The committee heard evidence indicating that the South-East institute provides a wide range of programs including business studies; hair and beauty; tourism and hospitality; applied and visual arts; community and health services; vocational preparation; textiles, clothing and footwear; rural, horticulture and timber; and an engineering unit.

Facilities to be accommodated include general TAFE administration offices; classrooms; tutorial/ withdrawal/resource rooms; conference/lecture theatre; learning resource centre; open learning and video conference; teaching restaurant; cafeteria and lounges; specialist rooms for computing, horticulture, hairdressing, visual arts, and so on; workshops; stores; staff accommodation; toilets and first aid; and parking for a minimum of 250 cars.

The project is to have an architectural design that provides maximum flexibility so that the facility can accommodate change and opportunities in the future. The project has been submitted to the Development Assessment Commission for approval under the Development Act. Although formal approval has not yet been granted, the application has been supported by the District Council of Mount Gambier, subject to access from Torrensdales Road being restricted to service vehicles only, and storm water run-off being disposed of within the site boundaries.

Construction of the new campus will provide a substantial impetus to the State and local economy. Purchase of South Australian and preferably local materials will inject further funds into local businesses and create jobs. The committee has heard evidence which indicates that the provision of a redeveloped facility at Wireless Road is expected to be beneficial to families of students served by the campus. The quality of the facilities available will be greatly enhanced and hence access to educational and training services significantly improved. The committee notes the changes proposed for the provision of child-care facilities and has received an assurance from the proponent that access to adequate facilities will be ensured.

On 26 April 1995 the Public Works Committee travelled to Mount Gambier to inspect the two existing sites and in particular the areas of the Wireless Road campus, which is the subject of the proposal before Parliament. The site inspection clearly demonstrated the inefficiency of providing education programs from a number of disparate sites. It was also clear that the Wireless Road site is by far the best location for a redeveloped TAFE as it has both substantial established infrastructure and sufficient scope for future expansion. The site also caters for up to 250 car parks adjacent to campus buildings, lies on an established public transport route, and incorporates established natural flora.

The committee's inspection was instrumental in demonstrating the pressures under which the organisation currently labours, and provided a clear understanding of the available

options for redevelopment and the potential for expansion to meet future demand. It has also been demonstrated by the proposing agency that no heritage sites or buildings will be impacted by the works, and the committee is satisfied that all works will be undertaken in a manner which will satisfy requirements of the environmental and health authorities. Available evidence from assessments carried out in this area have not revealed any sites of Aboriginal significance. The significant heritage listed theatre building on the Wehl Street site will be retained. The timing objective of the project is to commence construction in October 1995 with all work completed and all functions transferred from the Wehl Street portion of the campus by the end of 1996 in readiness for the start of the 1997 academic year.

The committee finds that this proposal has intrinsic value given the existing structures and circumstances which the facility must endure. The committee is satisfied that the construction is justified on the basis of the evidence received and the site inspection it has undertaken. The new facilities will significantly improve the level of DETAFE courses available for Mount Gambier and its surrounding regional area. The committee is satisfied by the available evidence that the improvement to the delivery of education services within this community is of great public value and will provide for greater equity and equality of opportunity in an important regional centre. The committee notes, in particular, the cooperative arrangements with industry, other educational sectors, and special interest groups such as Orana which the proponent has established in its delivery strategies.

The project team has demonstrated to the committee considerable expertise in the provision of cost-effective strategies in establishing this project, which will reduce the level of recurrent maintenance. The committee will monitor the progress of the project as required by the Parliamentary Committees Act and provide a statement to Parliament as information becomes available.

After examination of written and oral evidence, the Public Works Committee finds that the Mount Gambier TAFE campus proposal is soundly based, has been subject to appropriate community and agency consultation, is employing best practice principles, and generally satisfies the criteria for examination of projects as set out in the Parliamentary Committees Act. The committee is of the opinion the proposed redevelopment of the Wireless Road campus at Mount Gambier will overcome training and educational deficiencies in the region, provide adequate accommodation for planned courses, and enhance access to educational services for members of the South-Eastern community.

However, with respect to the design solution proposed, the committee notes from its inspection two matters of concern: first, the potential physical danger from protruding light fittings to persons using covered walkways within the existing buildings at Wireless Road. Despite the fact that these fittings fall within Building Act guidelines, the committee strongly recommends they be replaced with recessed fittings. Secondly, the committee is extremely concerned at the lack of natural light in many areas of the existing Wireless Road campus and strongly recommends the proposed design solution be re-examined with a view to incorporating light wells or similar forms of manipulated and energy efficient natural light wherever practical.

With respect to changes in the provision of child care, the committee requires detailed evidence demonstrating the provision of adequate access to such services in line with the commitment given to the committee by the proponent. The

committee therefore requires the project team to respond in writing to these concerns, detailing how they will be addressed prior to the commencement of works.

Aside from these matters, the committee supports the project and has been impressed with the professional approach to project procurement demonstrated by both the South-East Institute of TAFE and the Department for Building Management. Pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to Parliament that it recommends the proposed public work.

**Mr KERIN (Frome):** As the only country member of the Public Works Committee, I would like briefly to speak in support of the report and, indeed, the project. Educational opportunity is one of the major problems confronting young people in rural and isolated communities. Mount Gambier is certainly isolated from the metropolitan area, and it is vital that we provide equality of education opportunity for the young people in that region both as a matter of equity and to avoid the youth of those areas having to leave and try to gain a better education in the metropolitan area. This project will result in not only better facilities but also increased opportunities for young people in the Green Triangle region. It will also provide a special focus for the training needs of the important industries of this region, and will foster and support on-the-job training initiatives for local industry. A focus on flexible learning techniques will enable students to undertake studies which are tailored around their working arrangements.

This ability to meet the needs of both students and industry is important not only to the retention of young people in the region but also to the economic development of the Lower South-East which will, in turn, offer the jobs. This will not only benefit those at the Mount Gambier campus but also further advance the roles of the major campuses placed at Millicent and Naracoorte, and the various learning centres throughout the South-East. I strongly support the Public Works Committee report and I look forward to this project benefiting the South-East, its young people and its future economic development. Those factors are certainly close to the heart of the Deputy Speaker who for so long has given this area some terrific representation. I certainly recommend the report.

Motion carried.

**Mr CONDOUS:** I rise on a point of order, Mr Deputy Speaker. Many members of the public are present, and two very important matters have to be dealt with, the first being the Prostitution Regulation Bill and the other being the Voluntary Euthanasia Bill. Is there a process by which these matters can be brought forward and debated?

**The DEPUTY SPEAKER:** Order! The honourable member has no point of order. Orders of the day are dealt with in strict procedure, unless there is specific instruction to the Chair from either of the two Party Whips and unless the House concurs. It is also inappropriate for the honourable member to refer in any way to the public galleries.

#### SELECT COMMITTEE ON ORGANS FOR TRANSPLANTATION

**Ms GREIG (Reynell):** I move:

That the select committee have power to act during the recess and to report on the first day of the next session.

Motion carried.

#### PROSTITUTION REGULATION BILL

Adjourned debate on second reading.  
(Continued from 20 July. Page 2860.)

**Mrs GERAGHTY (Torrens):** It is with reluctance that I rise to speak to this Bill. If we lived in a perfect society, there would be no prostitution, no crime or violence against people. If we did not have to worry about debt or unemployment, or the other issues that befall us, it would be a utopia created in heaven. However, this is not the fabric of our society—nor, I suppose, would it be one that we would be very happy in. Human nature is built on survival. We struggle to make ends meet and to be creative. A good argument about anything—the weather, the best make of car, or which fly will land on dad's head first—is one of the things that make us what we are. We do not condone violence against children or the elderly. We do not condone it at all, but it happens, as do many other things that we find unacceptable or that are against our beliefs.

For many in our community, prostitution is one of those activities. We pretend that it does not happen, or we know it happens and we condemn it, and others have little opinion either way. However, it does exist and has existed since time began in one way or another, and ignoring the fact will not make it go away. The only way to have any control is by regulation. We should also consider the reasons that people take up such a profession. Some of those reasons should and must be of concern to us.

There are both male and female prostitutes, and people may become prostitutes out of desperation, they cannot find work, they need to feed families, they may be so far in debt that they see no other means of making ends meet, and for other reasons, I admit. The latter is not our responsibility, but other reasons are, and Governments need to be aware of their responsibilities to ensure that all members of our society have a decent and fair standard of living.

But the issue today is decriminalising prostitution. There are many arguments for and against that, and I choose not to debate that just now. I will say that, when I gave deep and serious consideration to this Bill, I had great concerns, in particular the issue of brothels in our suburbs. I will be moving an amendment to ensure that brothels cannot continue to operate in our suburbs. Whatever happens today, prostitution will still be practised in one way or another, and often it will be with brothels located in our residential streets, next door to our homes and where we raise our children. That I cannot accept. My amendment will seek to ensure that brothels are kept away from our homes and away from our children and families.

I make no judgment on people who seek the services of prostitutes. I imagine they may do so due to loneliness, disabilities of one kind or another, or some other reason. But to have our children subjected to those activities is unacceptable. I have a young grandson, and I do not wish to see him enlightened of the practice. Our children grow up quickly enough as it is. We do not want brothels in our suburbs, and we do not want prostitution in our streets.

Of real concern also is the grave consequences of an unchecked sex industry on public health. It is here that Government has a clear responsibility to the wider community. We could reduce considerably the risk of passing on sexually transmittable diseases by proper regulation of health requirements. HIV/AIDS is really of grave concern to all in our communities. So much so that we in Government,



both State and Federal, have gone to considerable length to educate the public of the risk, with the explicit objective of combating HIV/AIDS diseases. It is my belief that safe sex in the area of prostitution is something that Government not only should regulate but it must quite clearly carry out that role to that end. The alternative is an underground self-regulatory system which, if left unchecked, could lead to disaster for the wider community. I simply mean that there is considerable risk when the Government does not have a controlling hand in this area of public health and safety.

I have addressed this issue today and covered a number of important issues. This may not be the perfect solution. However, to continue to pretend that prostitution does not exist or happen, or that the current legislation will protect us from the activities, is not true. It does not do it now. Our Police Force is struggling to keep in check the activities of rapists, criminals and the perpetrators of violence against the young and elderly. Houses are broken into and police resources are stretched to the limit. Police officers are committed to law enforcement, and the regulation of prostitution will give them more time to fight crime. This is not an argument for decriminalising prostitution, but I merely highlight this issue. What is the use of police booking prostitutes who will pay the fine and go back to work? What of the escort agencies? They seem to operate with little restriction. If we put more police onto that, we will take them from servicing the needs of the broader community. More police could be the answer but this just will not happen.

It is a very difficult issue and I am amazed at the diversity of comments from the community, both from those for and against and from those who have no commitment either way but who simply have debated the issue and the associated problems. My decision is not taken lightly, nor do I make it on any moral grounds or on my own personal opinion. To do so would not be to consider the real issue of prostitution and the effects within our community. People have a real sense of community-mindedness and they stand both by and for the family. The protection of the family and the home is of great importance to the community, and I have acted with this knowledge in mind.

For example, the issue arose of an adult book shop within 100 metres of a school in my electorate. This was quite unacceptable to me and to parents, and quite clearly there is a flaw in the legislation. Regrettably this situation still continues to exist today but, more to the point, there was a ground swell of opposition to this establishment being so close to the school and to its children. Again, the community showed that it stood for the protection of the family and its children.

When I move my amendment I will ask members to support it as it will address the concerns of the families and parents in the community and will keep brothels away from families and our children. I stand quite squarely in support of families and family lifestyle. As I have said, I have not made my decision out of any deep-seated concern for those in the industry: I have made it on the reality that nothing will rid society of prostitution, but we can do something to protect our communities from its activities within our neighbourhoods and keep it away from our children. Not to support my amendment will allow brothels to continue operating in the communities that we fight so hard to protect—the very communities that stand for our families.

**Mr CUMMINS (Norwood):** We all know and would probably agree that, despite what some proponents of

prostitution say, both male and female prostitution is dehumanising. We also know that, historically, it has been associated with corruption, drug use, intimidation and violence. We also know that it is associated with the transmission of sexual diseases. Also, many say that prostitution is morally wrong, but the reality is that, whether we like it or not, it has been around for thousands of years and will continue to be so. In Pompei, for example, the first century AD, there was one prostitute for every 20 people in the population. Stuart Mill would say that prostitution is a victimless crime and, to some extent, undoubtedly it is. However, the problem I have with this legislation is that it is *ad hoc*, it has not been thought out and it has been made on the run. Certainly, as this Bill is before me now I would not support it.

Having said that, I am prepared—and I have given a commitment to the member for Unley on this—to vote this Bill into the Committee stage, but I want to put the honourable member on notice to this effect: in terms of escort agencies and brothels not operating within the provisions of the Bill he proposes, I believe it should be classed an offence for both the prostitute and the client. For too long it seems to me, the female has been penalised and not the male, and I think that that should change.

In addition, I believe that the penalty for operating a brothel or escort agency which does not fall within or comply with the provisions of this Act should be heavy. I would suggest that there be provision for confiscation of both building and equipment. It appears to me that historically—and I think certain members here, ex-police officers, would agree with me—it has been extremely difficult indeed to prove the offence of soliciting for the purpose of prostitution, and we know that, historically, the police have used *agent provocateurs*, etc.

I also put the member for Unley on notice that, if there are not presumptive provisions within this legislation which make it easy to prosecute either escort agencies or brothels that do not comply with the provisions of the Act, I will not be supporting this Bill. As another honourable member has said, there is concern about where these brothels are to be located. I am not happy with the provision in the Act which states that the regulations will denote this. I want provisions in the Bill which state that escort agencies or brothels will not be allowed to be located in residential areas or near schools, churches or any place where children gather. If that is not in the Bill—notwithstanding the regulations—I will not support it. In addition, I will not support the Bill unless councils have control over where brothels are located in all other areas apart from those I have just mentioned.

I do not believe that this Bill fully protects children. I think the member for Unley should address that issue and I will be speaking to him in due course about that. In addition, I do not think there should be any advertising of brothels or escort agencies and that also should be in the Bill. I do not think this Bill addresses the issue of drugs associated with soliciting for prostitution, brothels and escort agencies and it seems to me that that should be addressed. However, my main criticism of this Bill is that this House is confronted with an *ad hoc* Bill and we are doing it on the run. From my position as a lawyer, I think that is a real worry, and it is equally a worry from my position as a member of the community and a member of this House. As I said, I have given the member for Unley a commitment that I will vote this legislation into the Committee stage but whether I support this Bill finally will depend on what he does with it.

**Mrs ROSENBERG (Kaurna):** The current law covering the area of prostitution is discriminatory. It discriminates in favour of the client against the prostitute and sets up a double standard. It discriminates the place where that sexual activity takes place and therefore the current law is wrong and needs to be changed. Legislation such as this, dealing with what most in our society see as a moral issue as opposed to a legitimate form of work, should aim to reflect society's view of that moral activity. In my view, legislation dealing with prostitution should aim to reflect what society might accept as the need within our community. Therefore, legislation should aim to contain the practice of prostitution, and the regulatory amendments proposed for this Bill aim to do that. Laws of our State should not be seen to condone what is seen to be not morally acceptable. The conscience issue in this debate is one of questioning the moral acceptability of the act of prostitution, but this Bill does not address that one core issue; this Bill looks beyond that judgment and says that, accepting that prostitution exists and will always exist, legislation should allow that to happen in the best way possible for everyone.

The utopian view of prostitution could be seen as the acceptance by all of the amendments proposed for this Bill, but the underlying question for that decision is the level of belief that prostitution in any form should be supported. That is the bottom line question for this conscience vote. With consideration of the moral basis on which this State Government might accept or reject prostitution, my final decision is based on the moral right or wrong for us to be involved with prostitution by raising from it tax revenue. Many say that it is a pity that the Government loses so much tax because of the underground nature of some of the industry.

However, I believe there is a real danger for Governments to be in a tax revenue situation and dependent on an industry such as the sex industry. It is a similar danger to the danger of Governments depending on the gambling community of South Australia for their revenue. Some say this makes the Government a pimp. In fact, the tourism department already produces a sex brochure for tourists in this State, so perhaps we have already moved down that track.

The proponents of the Bill ask for complete sexual freedom for women. Also, they are determined that all sexually transmitted diseases will be controlled, that drug use and child abuse will be controlled, and sex workers and their clients can be trained to ensure proper education exists for all those involved. The argument for liberalisation on behalf of all women flies in the face of the United Nations convention on discrimination against women, which opposes prostitution because it is an exploitation of women. If we in South Australia believe that prostitution should be supported, why do we spend so much of our time preaching to Asian countries that their sex workers are exploited at the hands of Australian tourists? Will the simple act of decriminalisation of Asian prostitutes overcome the exploitation of them? If not, will decriminalisation in South Australia have a different or a similar outcome?

Some of the terms used frequently by the press and on radio by constituents are 'enlightenment', 'outdated', 'bringing South Australia up to the 1990s', and 'putting aside conservative attitudes'. It is my firm opinion that the moral standards of South Australia started to slip dramatically during the Dunstan era and have continued to do so ever since. I place quite firmly on the record that I am yet to see proof that such an enlightened decision as freeing up drug use in South Australia has improved the lot for the average South

Australian. Enlightened decisions in bringing South Australia into the 1990s do not necessarily equate to freeing up legislation and control of various moral issues. Many contributions in this place have referred to the pros and cons of this issue. In my opinion, the key issue is the comparison between the tolerance of low levels of activity as opposed to condoning an activity as a legitimate form of employment.

I have been bombarded, as have all other members of this House, by a massive amount of argument for and against this Bill. I have given consideration to all and summarised the basis of each argument. First, those opposed state the following: it is against religious beliefs; it destroys marriages and human lives; it leads to drug use; prostitutes themselves are victims; it degrades women; it undermines moral standards; they do not want brothels in their local area; more will go into the profession; they do not ever control vice by embracing it; and that laws should be for the benefit and protection of all. In summary, the arguments that have been put to me for the Bill are: it will end child exploitation; it will end criminal involvement; it will end discrimination; it will bring equality to all before the law; and support of the Bill to the Committee stage will not be an indication that we support prostitution.

We could argue each of the above points *ad infinitum* and never agree. For example, the aim of the legislation should be to prevent child participation, not to prevent child exploitation by the industry. Further, is the buying and selling of human beings, whether or not they agree to that buying and selling, a form of slavery and degradation of human society? Some would take the extreme view that none of this has anything to do with them and they do not care. This point of view has been expressed by one member on the other side of this House. Perhaps one could ask the member: why do you bother to be here? As an elected member, your own interest and your own personal involvement in this argument is not the point. Members are elected to this House to make a decision on behalf of South Australians and, if they do not care and they do not have an opinion on this issue, I suggest they do not belong here.

Such a complex issue is very difficult to grapple with, because there are valid arguments on both sides. The stereotype of today's prostitute has been questioned by much of this debate, and that is a very positive thing for South Australia. The introduction of the Bill has been useful and helpful publicly to raise this issue for all in South Australia and to let them know, as representatives, what their people feel about this Bill. I have weighed up with a great deal of sincerity and sympathy the ideas encompassed in this Bill against a large amount of information supplied to me by the member for Unley and others. On balance, I am opposed to the Bill.

**Mr BROKENSHIRE (Mawson):** First, I put on the record that I admire my colleague the member for Unley for putting this Bill before the Parliament. When I first heard that he was going to put it forward, I was not sure whether or not it was a straight out grandstanding exercise. I have had many talks with my colleague since that time and he has provided me with a lot of information, and I do admire his genuine attempt to bring forward something in which he firmly believes. Given that we will be voting on the Bill in a few moments, I want to put a few thoughts on the record. I do not want to enter the debate as to the people in the industry: that is their chosen track and it is not for me to say whether they

are good people or whatever. They are out there doing what they are doing.

However, I see two major problems for this State. One is the State debt, which has been discussed at length in this House. It is clear to everyone that there is a fairly hard road ahead to reduce the debt but, with due diligence and the reform that is taking place, in approximately six years this State in economic terms will achieve the balance which we should have and which we need to have. However, a deeper problem confronts this State and this country than even the economic problem—and I agree with my colleague the member for Kaurua that it happened during the 1970s. Whilst I have heard a former Premier, Don Dunstan, speaking on television and from the steps of Parliament House, purporting to be the greatest thing since sliced bread, I believe that the undermining of the family unit and the social fabric of South Australia began during the Dunstan era. That is the issue that really worries me.

Prostitution has been around for at least a couple of thousand years and will continue whether or not we decriminalise it. As a father and a member representing the electorate of Mawson, my concern is that in this State, indeed in Australia, we can no longer give any signals to show the undermining of the family unit, basic moral values and the social fabric of this society, which was very good in Australia until about 20 years ago but which is in rapid decline at present. I do not want my daughters, when they enter the work force in a few years, to walk into a CES office and see an advertisement for a job at a local massage parlour. I am also not prepared to walk down Main South Road or drive down the main tourist route into the Fleurieu Peninsula and see advertising and flashing lights openly inviting people into massage parlours. Enough material is put before young people at the moment to confuse them about the social fabric which they need and which this State desires. By decriminalising prostitution we will not protect those people who are in the industry or who want to access a massage parlour.

In summary, I believe that this State faces enough problems at the moment. It is about time we, as members of Parliament on a conscience issue such as this, clearly stood up in this Chamber and demonstrated to the people of South Australia that the only way ahead for this State in the future is the family unit. The only way to achieve a long-term, sustainable, enjoyable lifestyle in a country as rich as Australia is to remember the basic family values, to get behind them and support them. Therefore, I oppose this Bill.

**Mr BRINDAL (Unley):** When the United Trades and Labor Council, the State Council of the Liberal Party and the Women's Liberal Network agree on a proposition, one could be excused for thinking that we might have the courage to embark on a new course. When that proposal is further supported by His Grace the Anglican Archbishop on behalf of the appropriate commission within the Synod, the Uniting Church and the Churches of Christ, the health lobby in terms of the HIV/AIDS Unit of the Health Commission, the Australian Federation of AIDS Organisations, the STD Clinic, the AIDS Council of Australia, the sex industry, represented by SA SIN, the Women's Electoral Lobby, the Women's Power and Politics Conference, the University of Adelaide Public Law Association and the Australian Association of Social Workers, and when they are assisted by every authoritative paper brought down by every Parliament and every select committee in this country in the past 20 years, people such as I might build up a degree of hope. When we

add to that such noted academics as Professor Rebecca Bailey-Harris, Dr Marcia Neave, Dr Barbara Sullivan from the ANU, and PhD student Norah Fahey, one might become even more hopeful that it is a step in the right direction.

Yet, we live in a democracy and, however fragile that system is, it is the very best system we have. One of its limitations might well be exhibited here today because—and it is its strength and its weakness—every adult in our society has the right to have an opinion and has the right to vote. Despite the fact that I might not agree with some of the other opinions that have been expressed, that is a right which we cannot and should not ever take away.

I can report to this House that a number of independent polls and, indeed, polls amongst members of this House, have indicated that the majority of South Australians probably support the proposition which is before us today. Having said that, I must acknowledge that there is another sector in our society, a sector which has made itself heard and whose ethical, moral or religious position is at variance with my own. They, too, have a right to be heard.

As we prepare to take this vote, we acknowledge that it is a conscience issue, but it is probably because it is a conscience issue that we are the more accountable to our own electors. They are the ones who will determine the fate of this Bill, not us, and I say to those who have supported me—and I thank them for their support, and I thank all members for their courage in this vote—that, if this Bill fails today, then I apologise that I have failed this House and the people of South Australia. I have not failed you; I have put my arguments to you as honestly and openly as I could. I have tried always to deal with the truth. I will have failed the people of South Australia because I did not manage to convince those groups who believe honestly that this Bill is a step in the wrong direction. If I cannot convince them, then I cannot convince you, and you must exercise your vote accordingly.

To those who have supported me, I give an assurance that I will continue to fight whenever and in whichever forums are available to me to explain to people that this is an unjust and discriminatory law and stands offensive to the very principles in which I was brought up to believe. If my accountability is that I might no longer serve this House, then so be it, but I will stand for what I believe and I will honestly express that view. They have done the same and they can give me, I suspect, that right and that courtesy. If I can change public opinion, the will of this House will change. No matter how members vote today, I promise this House one thing: this is a fair Bill and a just Bill.

I mention only briefly the member for Norwood, who said that the legislation was a bit *ad hoc* and on the run. I want to emphasise to this House that it is based on the best legislation available in Australia at present. It is based on the ACT legislation, and it is an improvement. I have accepted and will accept amendments if it gets into Committee, because that is what this House works best at doing. It means all members considering the proposition with every segment of our community adding to it and, finally, writing the best law that is possible for South Australia. In the end, if you do not like what we produce in Committee, then vote it out at the third reading, but I remind members that no one has spoken against the need for change. Everybody agrees.

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

The House divided on the second reading:

## AYES (16)

|                 |                         |
|-----------------|-------------------------|
| Armitage, M. H. | Baker, S. J.            |
| Blevins, F. T.  | Brindal, M. K. (teller) |
| Caudell, C. J.  | Cummins, J. G.          |
| De Laine, M. R. | Foley, K. O.            |
| Geraghty, R. K. | Greig, J. M.            |
| Hurley, A. K.   | Quirke, J. A.           |
| Stevens, L.     | Such, R. B.             |
| Wade, D. E.     | White, P. L.            |

## NOES (28)

|                         |                  |
|-------------------------|------------------|
| Allison, H.             | Andrew, K. A.    |
| Ashenden, E. S.         | Atkinson, M. J.  |
| Bass, R. P.             | Becker, H.       |
| Brokenshire, R. L.      | Brown, D. C.     |
| Buckby, M. R.           | Clarke, R. D.    |
| Condous, S. G.          | Evans, I. F.     |
| Hall, J. L.             | Ingerson, G. A.  |
| Kerin, R. G.            | Kotz, D. C.      |
| Leggett, S. R. (teller) | Lewis, I. P.     |
| Matthew, W. A.          | Meier, E. J.     |
| Oswald, J. K. G.        | Penfold, E. M.   |
| Rann, M. D.             | Rosenberg, L. F. |
| Rossi, J. P.            | Scalzi, G.       |
| Venning, I. H.          | Wotton, D. C.    |

Majority of 12 for the Noes.

Second reading thus negated.

### NATIONAL PARKS AND WILDLIFE (FARMING OF PROTECTED ANIMALS) AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 20 July. Page 2861.)

**Mr LEWIS (Ridley):** I thank members for their contributions to the Bill.

Bill read a second time.

In Committee.

Clause 1—'Short title.'

Progress reported; Committee to sit again.

### VOLUNTARY EUTHANASIA BILL

Adjourned debate on second reading.  
(Continued from 20 July. Page 2872.)

**Mrs KOTZ (Newland):** Those of us who seriously, and with care and compassion, considered the impact of legislative change inherent in the Consent to Medical Treatment and Palliative Care Bill dealt with the ethical and moral questions relating to the pain management of the terminally ill specifically during the terminal phase of a terminal illness. I suggest that those of us who did seriously consider the impact of that legislation would be as horrified as I am at the intent of this Bill. The intent of this measure is to change for all time the ethics attributed to the healer—the physician who is entreated to sanctify life by its preservation.

These ethics have been preserved by the majority of civilisations since they were first recognised intellectually and documented by Hypocrates 400 years before Christ. This Bill seeks to overturn those fundamental principles of morality which have been immortalised in law and held sacrosanct for centuries. The essence of principle, ethics and morality cannot be swept aside when we now seek in our time to enable those who are suffering the right to be killed by

another. I use the word 'suffering' in general terms, because this Bill treats the right for euthanasia in general terms.

It has been suggested to me, and most probably to many other members, that the Bill has many safeguards—a neat and brilliant piece of legislation with tightly drawn up protections. I can only suggest that the people who suggest that have not read the Bill. This Bill has no such protections or safeguards. It is a totally unpretentious Bill in its intent to legalise the ability of one person to kill another and is devised in such terms that many categories of suffering disguised as terminal illness would enable euthanasia to be applied. Nowhere in the Bill does it mention the actual condition of the person or the patient.

The Dutch experience has been referred to often in this debate, and the proponents of euthanasia have chosen disdainfully to ignore the evidence of the Dutch Government's own investigations and findings, saying that they are either insignificant or an attempt by the members concerned to present them as pure fiction to try to prove that their view and opinions are absolute.

Only last year I took the opportunity to visit the Netherlands and, in doing so, contacted the Ministry of Welfare, Health and Cultural Affairs and had numerous discussions with many people in the Dutch Government and the bureaucracy about all aspects of Dutch policy on euthanasia. I suggest that the people of Holland themselves are extremely disturbed at the findings with regard to the 25 years of euthanasia in that country. The investigations were conducted by Rummelink, a previous Attorney-General in the Dutch Government, who was commissioned by that Government to investigate and evaluate how euthanasia had been proposed and enacted within that country. Still to this day it poses an ethical dilemma for not only the Dutch people but also the Dutch Government.

Since 1973 the Dutch themselves have been officially tolerating direct euthanasia and physician-assisted suicides under carefully considered safeguards, but nonetheless, according to their own Government, almost 5 per cent of deaths in 1990 resulted from involuntary euthanasia and another 6 per cent of patients died when their care was stopped without treatment and without their agreement. It is ironic to realise that the Dutch euthanasia system was set up in the name of patients' rights to ensure patient control over end-of-life decisions. But the Dutch Government's own statistics show that doctors decide when death should come for one patient out of 10, and more than half the doctors do not consider themselves bound by society's safeguards. It is a highly dangerous and ethically unacceptable idea that some people will be better off if their doctor kills them.

Increasingly today there are disputes about the cost of health care and, with a shortage of hospital beds, not enough health care moneys to go around. This House has heard those arguments many times. To legalise physician-assisted suicide is to risk opening a Pandora's box which we will never be able to close. We do have a better choice in this State: a hospice system of dignified holistic terminal care, which was initially developed in Britain. Many observers consider that hospices have made the right to die debate irrelevant in Britain by making available to everyone the sort of care that gives people the desire to go on living.

In Australia we have excellent hospices and palliative care services, but not nearly enough of them so far. In Holland, where euthanasia is widely practised, there is a real lack of hospices and palliative care services. During the time I was speaking to the Government officials and the bureaucracy in

the Dutch Government, they were extremely interested in the direction in which this State is moving and for which this Government legislated for pain management, through the hospice systems, in palliative care in this State.

In Holland, where euthanasia is widely practised, there is a real lack of hospice services, and they were anxious to see the content of the Bill proposed in South Australia. Hospice care is cheaper than hospital care and allows most people to die naturally at home with their families, in comfort and true human dignity. If there is a right to die, it surely is the right to die naturally and in comfort, as happens under good hospice care, and not to be put to sleep like a pet. Patients requested assisted suicide only when they failed to receive the support and care that they need, and we must not accept the false claims of euthanasia advocates who say that killing a person is compassionate and dignified. We should be aiming to make hospice care available to all and certainly not aiming to legalise physician-assisted death.

Many of the arguments relating to the statistics presented by the Rummelink Commission have been argued as being incorrect not only by people in this country but obviously by some of the doctors who were performing euthanasia without the consent of their patients. One such article, which was written by three allegedly eminent doctors in the Netherlands, was presented in an article called 'Dances with data'. Part of that article contains a quote in which these eminent doctors are arguing their case against the Rummelink Commission's findings and, in disputing—or attempting to dispute—the statistics, they state:

The authors—

referring to the Rummelink Commission—

state that there are 1 000 patients whose death was caused by physicians without any request at all. In fact, 600 of these patients were involved in some way or other, although not in the sense of explicitly requesting their end of life to be hastened.

These eminent doctors are arguing against the number of individuals killed. They suggest that the number that they killed was incorrect. They are arguing not about euthanasia by request but about the fact that the Rummelink Commission got wrong the number of people actually killed. In this instance they killed 600 people without request, without regard to the autonomy of the individual patient. In my mind that is a most bizarre reversal of ethical standards.

I can only suggest that, if this is the ethical base on which doctors have proceeded over a term of 25 years of accepting euthanasia, the situation has moved far beyond that involving the ethical standards with which we are still struggling to come to terms. It is further evidence that in this Bill we are opening up an area that has no safeguards or procedures such as those inherent in the Netherlands situation. The Netherlands doctors themselves have to go through something like 50 different procedures, after which the patient can be euthanased. They then have to present a case to the coroner and after that, eventually, they will not be prosecuted. But even the Netherlands Government has not removed the issue of euthanasia from its criminal statutes.

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

**Mr CUMMINS (Norwood):** I have never held the view that a politician of a particular religious persuasion should necessarily vote on a conscious matter according to the dictates of his religious beliefs. I believe we should be here to represent the views generally of the community. One could

imagine a situation where decriminalisation of certain behaviour could lead to a lesser evil than the behaviour remaining criminal. One could argue that with the issue of prostitution. Some would say that alcohol consumption is immoral. In fact, that was argued prior to lifting a prohibition in the United States. Equally, one could argue that it would help wipe out criminal behaviour and corruption which in fact it did when lifted in the United States, although unfortunately the corruption was well established.

That approach cannot and should not apply to this Bill. One must ask the question: what is the evil that the proposed Bill attempts to alleviate? The palliative care measure recently passed by this Parliament allows the withdrawal of life supports by direction of an agent if the person is in a terminal phase of a terminal illness or in a persistent vegetative state and is incapable of making decisions about his or her medical treatment. It does not, of course, authorise an agent to refuse the natural provision of water, food or drugs for pain. It is also clear under current law that a doctor can administer pain-killers to alleviate pain, even if in doing so he knows that it will cause the death of a patient.

It is equally clear that at common law at present a person of adult years and sound mind can refuse any treatment, even if such refusal will result in his or her death. One must then again ask the question: what is this Bill attempting to address and is the measure sound? Pain can already be alleviated even if that alleviation causes death. Again, is the Bill sound? According to the legislation, two doctors must be involved in relation to the decision to euthanase—the synonym, of course, for 'kill'. This, it is said, will protect the person. It is clearly open to abuse. It is patently obvious that some medical practitioners approve of and promote euthanasia.

It is fatuous to argue that they would take a balanced decision according to the criteria required under the proposed legislation. A person who wishes to be killed, who is ill and questionably terminal only needs to shop around for a treating doctor and another to end his or her life. We all know of cases of medicos being beneficiaries under a lonely dying person's will. We all know of unscrupulous beneficiaries who will do anything to inherit an estate. How would a sick, depressed, elderly or other person fare against such people? It does not need much imagination to be aware of the extent to which the proposed legislation could, and I believe will, be abused. There are also practical problems under this legislation. The patient can be killed if a non-treating practitioner forms the opinion that the patient is likely to die within 12 months from a terminal illness. That opinion has to be backed up by the treating doctor.

Four subjective judgments are involved in this. Taking into account that the patient may be seriously depressed when giving directions, one may ask the following questions: first, is the patient really giving a rational consent? Secondly, what are the probabilities that the medicos get it right on the four questions they have to consider? They are four subjective questions. I am a lawyer, and it is said that if you go to four lawyers you get four opinions.

**The Hon. Frank Blevins:** Five.

**Mr CUMMINS:** You get five, do you? If you go to four doctors, I suggest that in many cases you get four or five opinions also. One of my main concerns with this Bill is that in the criteria to euthanase the word used is 'likely'. In law, 'likely' means 'more probable than not'. 'More probable than not' is the civil burden of proof in a civil case—and it means 51 per cent. So, a medical practitioner would have to exercise four subjective judgments. If both medical practitioners get

it right to the extent of 51 per cent, someone could be killed. That is not satisfactory.

There are also, of course, fundamental religious arguments against the Bill. I do not think it is my position, as I said earlier, as a member of this House to base anything that I say here on religious grounds—and I do not. There are strong persuasive arguments on secular grounds to oppose this Bill, and that is why I do so. One may well ask the question: what sort of a civilisation or society so devalues human life that it can be taken at will? In my opinion, such a society is on a slippery slide to dehumanisation and total disregard for life. I say to members of this House who may be in their 50s (the after the war baby boomers), ‘If you really believe (if this Bill is still around when you are ready to go in a further 20 or 30 years) that the provisions of this Bill will be properly exercised and that you will be safeguarded, you are fooling yourself.’ On that basis, I oppose the Bill.

**The Hon. M.H. ARMITAGE (Adelaide):** Not long ago in this House I was pleased to be the lead speaker for the Government in relation to the Consent to Medical Treatment and Palliative Care Bill. That Bill is, obviously, a world leader: it clearly allows adequate pain relief for people in the terminal phase of what are dreadful diseases for both themselves and their families. It is my view that that Bill will answer the vast majority of concerns that people have about pain relief and death in those instances. As a fresh faced 18-year-old medical student, in between my first and second year medical studies I spent the Christmas holidays working as a nurse assistant in the Magill wards of the Royal Adelaide Hospital. The Magill wards were situated at the top of Magill Road and it was a rather fearsome place for someone aged 18. On my first day there, there were 33 patients in the ward, 30 of whom had terminal cancer. This experience was a very formative part of my life and my medical career.

The reason I wish to speak briefly to this Bill is, however, not necessarily to address the issue of euthanasia. In the parliamentary process, a Bill moves from the second reading stage to the Committee stage. No-one can predict the shape of the Bill or what concepts it will contain after amendments have been moved and voted upon until it emerges from the Committee stage. Some people fear euthanasia, but I hope that no-one fears discussion of the issue of euthanasia. I believe that the most appropriate step is to vote for further discussion on this contentious social issue.

**Ms STEVENS (Elizabeth):** I want to speak briefly on the Bill and to put my thoughts on the record at this time. In my view, euthanasia is one of the most critical issues that we as human beings will have to face, and those of us who are charged with making public policy have a great responsibility in the way in which we approach it. This issue raises matters such as ethics, values, our understanding and experience of humanity, and our belief about life and the right of people to self-determination. Like every member of this House, I have received dozens of letters and had many meetings and conversations with people regarding this issue: those people in favour of voluntary euthanasia who wish to be able to choose whether to live or to end their life with dignity when enough is enough. On the other side, there are issues such as: the sanctity of life, the Pandora’s box issue, the fear of involuntary euthanasia, and the slippery slope argument: if we start this where will it end?

I believe we need to tackle these issues; we cannot run away from them. They are here and they will continue to be

here. However, I also believe that these issues need much discussion. They are so fundamental that we need to ensure that we give ourselves adequate time to consider all of them. I also think that timing is important in relation to when such a thing should be done. In my view, the timing of this Bill was not ideal, because I do not believe that we have had adequate time to discuss the issue. I also believe that we need to wait to see the effects of the Consent to Medical Treatment and Palliative Care Bill and to look carefully at what happens in the Northern Territory as a result of the legislation which that State has just passed.

In my view, when we as a community make moves in this direction, every step that is taken needs a time when there is a plateau, when we stop, evaluate, take stock, and think about the matter, and then perhaps take a further step. In my view, the time to consider this issue is not now. However, the Bill is before us. On the other hand, as has been pointed out to me, the Bill provides a window of opportunity to deal with the issues. People say that if this Bill is voted out now, the discussion here will stop; if it passes through the second reading stage, the opportunity for further discussion will continue. I intend to vote for the Bill at this point, because I believe that we need to continue those discussions. I have not decided what I will do at the end of the Committee stage or at the third reading, but at this point I vote for further discussion and consideration.

**Mr BRINDAL (Unley):** I was determined not to speak on this Bill. In fact, I have only this morning come to my conclusion. Let me say from the outset, that I totally support what I believe to be the sanctity of human life. I, therefore, have profound reservations about this Bill. I will keep my remarks short, but I would like members to understand the position from which I approach this matter, because I think it is important that I explain that to the House. A few years ago, my mother died of cancer. She was a very strong willed and passionately convinced Christian. The lead-up to her death was long, and at one stage she wished to exercise the right of euthanasia, which was not available to her. One day we were having a religious discussion, which I know does not concern the House, but I would like to explain. During that discussion she said that she had doubts because of the fact that she could not die. I believe that in life and death there is a course, and that that was intended to be part of her course.

I know that if my mother could have chosen euthanasia she would have done so. But I remain equally convinced that that whole process that she went through, that whole process which was part of her life, was intended to happen to her. Therefore, I have great difficulty with this Bill. I basically believe that life is sacred, that it has a course and that it should not be interfered with by others. I do not propose to support this Bill. It is against fundamental principles that I have argued in this House before. The member for Playford knows that. On a number of issues I have always tried to say that life cannot be tampered with and is sacred. A while ago, I stood in this House and argued for informed public debate. If I am going to argue for informed public debate for me, I can say no less for the member for Playford. It is the ill-informed nature of public debate that convinces me, and is why I serve notice now, that I cannot and will not put this Bill into law. I am prepared to let the member for Playford try to have it further debated and, therefore, I will support the Bill to the Committee stage.

**Mrs GERAGHTY (Torrens):** I have read this Bill closely and carefully, and I have spoken to a great many people, both within and outside my electorate. A wide range of concerns have been expressed, and there has been a diversity of interest. I took those many varying concerns into consideration—so many heartfelt concerns and life stories—and we have heard some of those here today. I have listened to people who have lost a loved one—I myself have been through that—through an incurable illness and to those who are vehemently opposed to this Bill. All those people spoke from the heart, even though their beliefs differed. I do not condone or support the taking of a life because it has outlived its usefulness or its time, or because the life is old or serves no useful purpose to us or society. Life is very precious, and it is very special—so special that we must surely accept that sometimes life ends. We do not want the very specialness of this life to be reflected in a poor ending.

Having considered all the comments and all the discussions, I do not believe that this Bill is about ending life for the sake of it, nor do I believe it is to rid of society of the unwanted or the infirm. I have grave concerns for the mentally and physically disabled and those who are less able to convey their wishes, but I do have faith in our society, and for those who are in a position of protection and guidance. This Bill protects those concerns. If we have no faith, then we should legislate against all possibilities where people may be adversely affected.

This Bill is about a terminally ill person taking control of their final days. I do not support in-advance decisions, for often there can be reprieve or remission. However, in the final stage, if all the technology and medication cannot relieve that pain and the suffering is unbearable, the end of life should be treated and accorded dignity. In the end before making my decision, I asked myself ‘What purpose is served by prolonging the agony and the indignity of the dying?’ And I found none. I love life and all that goes with it. To my mind, it is not my right to make a decision for someone else who is in unbearable pain from a terminal illness, and that pain will ultimately be with them to the end. It should be their decision to make—under strict and rigid guidelines, of course—but their decision, nonetheless.

**Mr QUIRKE (Playford):** I want to thank all members for partaking in this debate. I do not have the exact figures of the number of members who have spoken, but it would exceed more than half the House. Given the fact that on a Thursday morning it is difficult to find time for all the proposals before us, this issue has had a great deal of debate in this place. I also want to make a few comments about the debate outside this House. I listened closely to every contribution on this question; I have been in the House for them all. I disagree with the member for Elizabeth with regard to timing. I believe that the timing of this debate has been very good and useful. There has been a good community debate and, overwhelmingly, the community supports this proposal. Every time I see a survey on it, I quite clearly see that the overwhelming number of persons understand the necessity of this measure. I want to develop that point.

Since I brought down the Bill, a number of doctors have come forward and told us that, under the existing regime, euthanasia, in whatever form, voluntary or otherwise, is widely practised in our community. This Bill seeks to put regulation and law where it ought to be. I do not stand back from that position at all. That is fundamental. In this instance, Parliament may lead from behind. Some members will vote

on this because they have a perception that an overwhelming percentage of the population is against this measure. That is sad, but I do not want to go on about that. However, a couple of members have said to me that they believe that the people who are anti this measure have the numbers in their electorate.

That may well be the case, I do not know. I can only say this: I have received more mail on this matter than any honourable member. My father-in-law thanks all the persons who have written to me because he is a stamp collector, and he has done pretty well out of the whole exercise. I have received about 900 letters. A couple of prominent church people contacted me, one in particular very early in the campaign. That person wanted to know how many letters had come in on each side, so that that person could match them five fold. Well, I must tell that person that she did not quite reach that goal. The mail was split about evenly—but not that many responses came from my electorate. I understand that there will be greater targeting on these issues in the future, and the theocratic faction of parliamentarians is organising a much more comprehensive campaign using computer-generated material in the future.

I will single out a couple of contributions, and then I will conclude my remarks. I was absolutely staggered that the member for Ridley did not support this legislation, because he is the only one I am aware of who has ever euthanased anyone—I do not know whether it was voluntary or otherwise. I find that absolutely staggering. The other thing I found staggering was a petition against my Bill in a delicatessen in my electorate. The person there told me that, although she had quite happily taken the petition, she would vote for the Bill. The petition was again from the member for Newland, who first had a petition talking about the sanctity of human life, and a couple of years ago there was one about hanging people. I just cannot get over the arguments that are put by the member for Newland on this question.

Before concluding, I just want to say that I welcome contributions from members on the other side on this matter, and the members for Spence and Hanson, who I am sure, between them, will find a teller to go on the other side. They have done a good job of protecting the interests of some of the vested religions in this community—I say some of the vested religions and not all of them, because some have a more sensible approach to this matter. The sort of tolerance that other members and I are supposed to express about religion in this community unfortunately has not been reciprocated.

The House divided on the second reading:

AYES (12)

|                        |                 |
|------------------------|-----------------|
| Armitage, M. H.        | Bass, R. P.     |
| Blevins, F. T.         | Brindal, M. K.  |
| Caudell, C. J.         | Clarke, R. D.   |
| De Laine, M. R.        | Geraghty, R. K. |
| Quirke, J. A. (teller) | Stevens, L.     |
| Such, R. B.            | White, P. L.    |

NOES (30)

|                    |                          |
|--------------------|--------------------------|
| Allison, H.        | Andrew, K. A.            |
| Ashenden, E. S.    | Atkinson, M. J. (teller) |
| Baker, S. J.       | Becker, H.               |
| Brokenshire, R. L. | Brown, D. C.             |
| Buckby, M. R.      | Condous, S. G.           |
| Cummins, J. G.     | Evans, I. F.             |
| Greig, J. M.       | Hall, J. L.              |
| Hurley, A. K.      | Kerin, R. G.             |
| Kotz, D. C.        | Leggett, S. R.           |

## NOES (cont.)

|                  |                  |
|------------------|------------------|
| Lewis, I. P.     | Matthew, W. A.   |
| Meier, E. J.     | Oswald, J. K. G. |
| Penfold, E. M.   | Rann, M. D.      |
| Rosenberg, L. F. | Rossi, J. P.     |
| Scalzi, G.       | Venning, I. H.   |
| Wade, D. E.      | Wotton, D. C.    |

Majority of 18 for the Noes.  
Second reading thus negatived.

**ELECTORAL (POLITICAL CONTRIBUTIONS AND ELECTORAL EXPENDITURE) BILL**

(Second reading debate adjourned on 20 July. Page 2866.)

Bill read a second time.  
In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

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

Page 1, lines 20 to 25—Leave out the definitions of 'address' and 'director' and insert—

'associated entity' means an entity that—

- (a) is controlled by one or more registered political parties; or
- (b) operates wholly or mainly for the benefit of one or more registered political parties;

This amendment is consistent with the Federal Act and I have moved it so that we can reduce the anomalies that are caused by different rules and regulations.

Amendment carried.

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

Page 2, lines 32 to 35—Leave out paragraph (f) and insert—

- (f) the production and distribution of electoral matter that is addressed to particular persons or organisations and is distributed during the election period; or

This amendment again makes this legislation consistent with the new Commonwealth Act that came into being in 1995, and it is to clarify some of the roles of agents and the extent to which they donate to political Parties. So, again it is a matter of consistency with the Commonwealth Act.

Amendment carried.

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

Page 2, after line 37—Insert—  
'entity' means—

- (a) an incorporated or unincorporated body; or
- (b) the trustee of a trust;  
'financial controller', in relation to an associated entity, means—
- (a) if the entity is a company—the secretary of the company;
- (b) if the entity is the trustee of a trust—the trustee;
- (c) in other cases—the person responsible for maintaining the financial records of the entity;

Again, this makes this Bill consistent with the Commonwealth Act.

Amendment carried.

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

Page 3, lines 18 to 23—Leave out the definition of 'substantial shareholder'.

This was a Leader of the Opposition's special; it is not consistent with the Commonwealth Act and we would ask for its deletion.

**Mr ATKINSON:** Apart from the fact that deletion makes it consistent with the Commonwealth Act, why in principle is deletion desirable?

Debate adjourned.

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

**VEGETATION PROTECTION**

A petition signed by 38 residents of South Australia urging the House to ensure that effective legislation is enacted to protect urban trees and/or bushland from destruction was presented by the Hon. G.A. Ingerson.

Petition received.

**PROSTITUTION**

Petitions signed by 441 residents of South Australia requesting that the House uphold and strengthen existing laws relating to prostitution were presented by Mrs Geraghty, Ms Greig, Mrs Kotz, and Messrs Lewis and Rann.

Petitions received.

A petition signed by 133 residents of South Australia requesting the House to introduce legislation to decriminalise prostitution was presented by Mr Brindal.

Petition received.

**EUTHANASIA**

Petitions signed by 617 residents of South Australia requesting that the House maintain the present homicide law, which excludes euthanasia, while maintaining the common law right of patients to refuse medical treatment were presented by Mr Atkinson, Mrs Hall and Mrs Kotz.

Petitions received.

**PAPERS TABLED**

The following papers were laid on the table:

By the Minister for Industry, Manufacturing, Small Business and Regional Development (Hon. J.W. Olsen)—

Response to the thirteenth Report of the Economic and Finance Committee.

Achieving an Inspirational, Effective and Efficient Women's Information Service—Report, July 1995.

Ministerial Statement—Women's Information Switchboard.

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

Food Act 1985—Report on the Operation of, 1994.

South Australian Council on Reproductive Technology—Report, 1994.

**SOCIAL DEVELOPMENT COMMITTEE**

**Mr LEGGETT (Hanson):** I bring up an interim report of the committee on the inquiry into prostitution and move:

That the report be received.

Motion carried.

**JOINT COMMITTEES**

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

That the members of this House appointed to the Joint Committees on South Australia's Living Resources and Women in Parliament have power to act on those committees during the recess.

Motion carried.



## QUESTION TIME

### HINDMARSH ISLAND BRIDGE

**Mr CLARKE (Deputy Leader of the Opposition):** My question is directed to the Premier. Now that Mr Doug Milera has withdrawn his allegations regarding the women who provided information about secret women's business to the Federal Minister for Aboriginal Affairs, will the Premier now call off the royal commission announced by him on 8 June? This morning Mr Doug Milera withdrew his allegations regarding the Ngarrindjeri women who provided information to the Federal Minister for Aboriginal Affairs concerning beliefs which have been described as secret women's business. He was not permitted to make a statement to the Royal Commissioner as he wished to do, but he has now publicly stated:

I do not believe that the women's business was fabricated. I do not dispute the validity of the beliefs held by those women who have those beliefs. I do not believe it is for me—as man—to be involved in a royal commission into whether the women's business is true or not.

Mr Milera's earlier allegations were the basis for the Premier's setting up the royal commission in the first place, as explained in the Premier's ministerial statement of 7 June this year.

**The Hon. DEAN BROWN:** The royal commission was set up based on the fact that there had been a whole series of claims from a number of different people.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. DEAN BROWN:** There were a whole series of claims from a number of people that the evidence presented concerning women's business was fabricated. The royal commission is looking at all the claims that have been made to determine whether or not there was fabrication.

*An honourable member interjecting:*

**The Hon. DEAN BROWN:** This is not a royal commission about the spiritual beliefs—

**The Hon. S.J. BAKER:** I rise on a point of order, Mr Speaker. The Deputy Leader continues to interject.

**The SPEAKER:** The point of order is upheld. The Deputy Leader is fully aware of Standing Orders and he has experienced what happens when one continues to defy the rulings of the Chair. I ask him not to interject again.

**The Hon. FRANK BLEVINS:** I rise on a point of order, Mr Speaker. During the question and the explanation, the Deputy Premier interjected throughout the Deputy Leader's asking the question—and he has had even more experience.

**The SPEAKER:** Order! The Chair is of the view that that is a frivolous point of order and is one of those examples where members are taking unnecessary points of order. That does nothing for the standing of the House.

**The Hon. DEAN BROWN:** As I was saying before I was rudely interrupted by the Deputy Leader of the Opposition, this royal commission is about whether or not crucial evidence presented (which ultimately led to the stopping of a development and the stopping of the building of a bridge) was or was not fabricated. It is not a royal commission about the spiritual beliefs of anyone: it is simply about whether or not there was fabricated evidence. The royal commission is to put integrity back into Aboriginal heritage issues. It is an absolute farce to be using—under State legislation or Federal legislation—claims concerning Aboriginal heritage issues if,

in fact, some of those claims have been fabricated. Any Australian would be concerned, and it surprises me somewhat that the Deputy Leader of the Opposition is apparently willing to see fabricated evidence, if that is in fact what has occurred, used in such a manner.

Those who oppose the royal commission in coming to the truth as to whether or not there was fabrication are clearly saying it is good enough to fabricate evidence that is used formally by a Government, whether it is at State or Federal level. They are the crucial issues. In relation to the letters written to me saying it is inappropriate to have a royal commission into spiritual beliefs, I ask those people to look at the terms of reference. The terms of reference simply say, 'This is a royal commission looking at whether or not there was fabrication.'

I come specifically to the claims made today by Mr Doug Milera. Of course, he, through his lawyer, tried to make those claims in front of the royal commission and was stopped. During a royal commission, I will not comment one way or another on any of the evidence that might be used by that royal commission. In fact, I would have thought that the honourable member opposite, regardless of his thoughts on this royal commission or on any royal commission, should not be commenting on material that would go before that royal commission. I urge everyone to respect that right of the royal commission. The royal commission is an entirely independent body. It is established under State legislation. It has been a long tried and well proven technique to ensure we get to the truth, whatever it is. I accept the finding of the Royal Commissioner, whatever it is—whether it was fabricated or whether it was not fabricated. This Government and I want the truth, and that is why a royal commission was appointed. I ask the honourable member and others to have the decency to sit back and respect the fact that there is a royal commission and that that royal commission is able to fully investigate the matters and come down with a finding.

### STATE IMAGE

**Mr CUMMINS (Norwood):** Will the Premier report on the response to the Government's new marketing campaign since its launch on Tuesday night?

**The Hon. DEAN BROWN:** It is interesting to see the overwhelming support received over the past 24 hours once the advertisements were running and people had a chance to view the commercials and part of the promotion campaign. For instance, it will be of some interest to members opposite that eight major companies have now telephoned in wanting to join the campaign. The fashion industry has decided that it wants to be part of the campaign and will put on a major fashion parade using fabrics manufactured in South Australia to promote fashion wear produced in this State.

When people telephoned last week with their concerns about the slogan, my office told them, 'We urge you to look at the campaign when it is launched and then telephone back with your comments.'

*The Hon. M.D. Rann interjecting:*

**The Hon. DEAN BROWN:** The Leader of the Opposition might be interested to know that all those who have telephoned back have said that they completely withdraw the remarks they made last week knocking the campaign and the slogan. All those who have called back on the specific invitation to do so now say they support the campaign. Let me refer now to what the Leader of the Opposition really does not like about this campaign. Major national companies

are saying what they think about what is occurring in South Australia, and I refer the Leader of the Opposition to the supplement in this morning's *Advertiser*. The Westpac Bank's comment was this:

Good things are going on in South Australia. The State's leadership in the fields of information technology, telecommunications and data processing helped influence our decision.

That refers to Westpac's decision to come to South Australia. I refer next to the comments of Mr Roger Fordham, Director of the Motorola Software Centre, which is a huge multinational company growing at the rate of 30 per cent a year and which is recognised as a world leader in technology and management styles. Mr Fordham said this about South Australia:

South Australia was chosen because of the State Government's commitment to high technology industry, support from local universities and the dynamics of the Technology Park site.

What better accolade could any Government have than that? Then there is the comment from the Asia Pacific Director of Tandem Services Company, a major computer company which has decided to set up its Advanced Development Centre in South Australia for the whole of the Asian area. He said:

The South Australian Government's 'IT 2000 Vision' is a vital and exciting initiative. It was a critical factor in Tandem's decision to establish their Advanced Development Centre in Adelaide.

*Mr Foley interjecting:*

**The SPEAKER:** Order! The member for Hart will know all about the slogan: he will be going!

**The Hon. DEAN BROWN:** All the way out! The other important thing is that there has been a flood of telephone calls from people, including a couple from the Labor Party, wanting the 1 000 vehicle registration plates that have been produced. Ultimately, the State will not lose one dollar over this deal. I suspect that there is significant potential there, but at this stage I am saying that the registration plates are not for sale. We will wait and see, and I can assure taxpayers that somehow we will make sure that we do not lose a single dollar over those plates.

#### HINDMARSH ISLAND BRIDGE

**Mr CLARKE (Deputy Leader of the Opposition):** Will the Premier order an investigation into the roles of those persons named by Mr Milera as having fabricated the letter to the Federal Minister for Aboriginal Affairs in order to establish the truth? In a statement issued today by Mr Milera's lawyers, he says:

After the interview was completed on 5 June at the Appollon Motel, Mr Kym Denver asked me to sign a document. He told me it was a letter from myself to Mr Tickner, the honourable Minister for Aboriginal Affairs. I could not read the letter which had been typed up at the motel. I did not read the letter or, if I did, I did not understand its content.

**The Hon. DEAN BROWN:** I happened to hear Mr Milera on ABC radio the next morning, and I think other members did, too; so there is much more than just a signed statement. If Mr Milera has any evidence whatsoever that he thinks is pertinent to the royal commission, he should take it to the commission: that is why it was set up. I would hope that the Deputy—

*Mr Clarke interjecting:*

**The Hon. DEAN BROWN:** Well, I understand that he will be a witness before the royal commission. The fact that he wanted to make a statement through his lawyer today

when it was not his due turn I understand is the reason why he was not given a chance today. If he has any evidence at all, he should take it to the royal commission, and that is exactly the advice that the Deputy Leader of the Opposition should be giving to Mr Milera.

#### STATE GOVERNMENT INSURANCE COMMISSION

**Mr ASHENDEN (Wright):** Will the Treasurer inform the House of the progress being made by the asset management task force in selling SGIC? In February this year, the Treasurer announced that SGIC would be sold by a trade sale and that this would include all insurance businesses as well as the trustee company Austrust Limited.

**The Hon. S.J. BAKER:** I am pleased to announce that the South Australian Government is calling for expressions of interest in the purchase of the newly corporatised SGIC and the Austrust group of companies. This is a further step that has been taken. Members would well recognise that prior to the last election we indicated which assets would be sold in order to reduce our debt. We have been very successful with the sale of the pipeline and the bank, and we intend to be successful in the sale of SGIC and the Austrust group. Everyone would recognise that SGIC is a major participant in the general, health and life insurance industries in South Australia, while Austrust is one of the largest providers of personal trustee services in Australia. The two entities will be offered for sale at the same time, but the sale will be conducted under separate processes. The new SGIC is continuing to perform and I am sure that it will be a good asset in which to invest.

It is important to note that the compulsory third party insurance component of SGIC is not to be sold, and I think that everyone can reflect on the Government's wisdom in making that decision, given the events in New South Wales. Again, I must say that the Government has provided leadership in that area. The third party insurance operation will be managed and controlled by the Government through the Motor Accident Commission for at least three years, by which time the industry should have had adequate time to sort itself out so that some clear directions can be perceived by everybody at large in relation to what will happen with compulsory third party insurance in the longer term. It is another important process that is being managed expertly by the asset management task force.

Basically, three criteria have been specified in the advertisement seeking expressions of interest: the interested parties must have the financial strength to ensure their long-term future in the interests of the health and well-being of all investors; the interested parties' objectives for acquisition include their desire to set up a head office or a major component of their operations in South Australia; and then there is the benefits of the offers for the South Australian economy, in other words, the economic development component. So, the process is now under way, and we believe that it will bring another good outcome to this State.

#### SCHILLING, MR MICHAEL

**The Hon. M.D. RANN (Leader of the Opposition):** Given the Premier's reply to my question yesterday, can he advise the House why no action has been taken in Executive Council to terminate Mr Schilling's position? Can he advise the House how long Mr Schilling will remain on leave at

home on full pay? Yesterday the Premier told the House that Mr Schilling's contract had been terminated. The Premier said that he had formally handed Mr Schilling a letter terminating his contract and that Mr Schilling was simply now receiving payment for a certain period in lieu of notice. Perhaps the Premier could release the so-called termination letter.

**The Hon. DEAN BROWN:** I can assure the House that in fact his contract was terminated. As I said yesterday, I personally handed Mr Schilling the letter which terminated that contract. Under the contract, I think four weeks notice—which is the standard clause in any industrial agreement—had to be given, and during that four week period Mr Schilling had to be paid the full salary component. That is standard procedure.

I venture to say that if we took that away from anyone else there would be an absolute outcry from all Opposition members in this House. Surely the Leader of the Opposition understands what is not just a normal but a mandatory requirement: that is, if a specific period of notice has to be given under a contract, as there has to be in this case—and as I said I understand that that period is four weeks—that specific period of notice has to be given with full pay. Every industrial award has such a provision: it is normally either a one week or a four week period. The Government is merely complying with the contract. When this matter was first raised a couple of weeks ago I said that the Government was complying with the contract, and that is exactly what it is doing.

#### MAIN STREET PROGRAM

**Mrs PENFOLD (Flinders):** Can the Minister for Industry, Manufacturing, Small Business and Regional Development detail funding allocations for 1995-96 for the successful Main Street program which provides valuable assistance, especially to regional communities?

**The Hon. J.W. OLSEN:** I thank the member for her question which gives me the opportunity to outline to the House the continuation and value of the Main Street program. It is a valuable program, and that is why the Government has maintained it this year, despite budgetary constraints. Nine new communities—Kingscote, Quorn, Port Pirie, Millicent, Port Augusta, Naracoorte, Noarlunga (Beach Road), Prospect and Goolwa—will enter the Main Street program this financial year. Funding from the program will be continued with regard to the two three-year cycles for another 15 communities selected and announced previously.

Kingscote, Quorn, Port Pirie and Millicent will each receive \$10 000 for the development of a detailed business plan and the establishment of project initiatives, and Prospect will receive \$5 000 to fund a consultant for the development of a business plan. For the same purpose, Port Augusta, Naracoorte and Noarlunga (Beach Road) have been allocated a total of \$10 000 and these funds will be matched on a one-to-one basis. Goolwa is the fifteenth community in South Australia to receive funding support of \$10 000 to employ a Main Street coordinator.

*The Hon. Dean Brown interjecting:*

**The Hon. J.W. OLSEN:** I am sure that that has the endorsement of the local member of Parliament. In addition, the Economic Development Authority will start a pilot project through the Yorke Peninsula Regional Development Board involving four towns on Yorke Peninsula. This new initiative means that more towns can benefit from the Main Street

program, which has been successful in stimulating economic activity, community involvement and tourism, especially in the regional areas of the State. Compared to last year, the level of project activity will be maintained. Funds are allocated in a flexible way so as to take account of the different needs of the different communities. There is an enormous pool of potential in the regional areas of the State, and this funding will provide a much needed boost to regional and small business opportunities.

#### SCHILLING, MR MICHAEL

**The Hon. M.D. RANN (Leader of the Opposition):** My question is again directed to the Premier. Will Mr Schilling continue to be on leave at home receiving full pay beyond Monday when the four weeks notice period the Premier has just mentioned is complete?

**The SPEAKER:** Order! The honourable member has already asked that question, so I rule it out of order.

**The Hon. M.D. RANN:** On point of order, Sir, this question is sequential and consequential to my previous question: will Mr Schilling be receiving pay beyond the notice?

**The SPEAKER:** Order! The Chair has made a ruling. The Leader of the Opposition has asked enough questions to know that he cannot ask the same question twice.

**The Hon. M.D. Rann:** It is a different question.

**The SPEAKER:** Order! I suggest to the Leader of the Opposition that he redraft the question and get it in order, and then he will be able to ask it.

**Mr CLARKE:** I rise on a point of order, Mr Speaker. Might I ask you to refresh your memory as to the question that was asked in the first instance by the Leader of the Opposition, and cast it alongside the Leader's most recent question. They are distinctly different although they follow a similar line.

**The SPEAKER:** Order! The Chair has made a ruling. The Chair has invited the Leader of the Opposition to rephrase his question, and he will then get the call. The honourable member for Playford.

#### INDUSTRIAL DISPUTES

**Mr QUIRKE (Playford):** My question is directed to the Treasurer. What is the cost to Government revenue of industrial bans imposed by employees and departments controlled by the Minister in both his portfolio capacities as Minister for Emergency Services and Minister for Correctional Services, and is the Treasurer satisfied that everything possible is being done to settle these disputes to protect revenue? The Minister is now in dispute with employees in all three major departments of his portfolio area including the police, prison and fire officers.

**The Hon. S.J. BAKER:** Of course I am satisfied with the effort being made by the Ministers of this Government to settle disputes, which we have the Labor Party fuelling on the sideline to assist the cause of this State.

**The Hon. G.A. Ingerson:** It made no agreements in two years.

**The Hon. S.J. BAKER:** As the Minister for Industrial Affairs interjects, the Labor Party had no agreements in place for two years. If the honourable member reflects on the performance of the previous Government and looks at the situation concerning the Commonwealth Grants Commission, considering what was achieved by the previous Government

and the cost overloads endemic to the system when we came to office, he will understand the need for reform. That reform will come at a cost, as we would all recognise.

We have already laid down our savings targets and we are adamant that those targets will be achieved. In such cases I expect that there may be some dissatisfaction. This Government is doing all in its power to speedily resolve industrial disputations, and I know that history dictates that these things be settled some time sooner than later.

In terms of loss of revenue, I do not have specific figures available to provide to the honourable member. I am sure that we will assess these situations and determine whether there has been a cost penalty to the Government, and indeed, if there is a deficiency, we may determine whether there should be some clawback measure to overcome any loss of revenue. I believe that it is inappropriate to say anything further, simply because constructive negotiations have been pursued. We are hopeful that they will come to a positive resolution for both the Government and the parties concerned. The Opposition and the union movement would wish that this situation continued forever, but I do not believe that that will be the case.

#### CASEMIX FUNDING

**Mrs ROSENBERG (Kaurna):** My question is directed to the Minister for Health. Is the Government funding a conference in Adelaide in September to promote the virtues of casemix? This week's *City Messenger* reports that a casemix conference will be held in Adelaide on 2 August.

**The Hon. M.H. ARMITAGE:** The answer is, 'No, the Government is not sponsoring a casemix conference in September.' The member for Kaurna is correct in that a casemix conference is to be held in Adelaide. We do not need a casemix conference to sing the praises of what we are doing because the figures speak for themselves with a 4 per cent increase in activity, a 10 per cent reduction in waiting list numbers, a 50 per cent reduction in the number of people waiting more than 12 months and a \$35 million dividend to the taxpayer. It is interesting that the Federal Labor Government has been attempting for a long time to stimulate interest around Australia in the casemix funding mechanism and the Brown Liberal Government in South Australia was at the forefront of casemix funding.

Having been to a number of ministerial conferences and fora in the last little while, it is clear that some of the State Labor Government's resistance to casemix is thawing, and New South Wales is a prime example. During the election campaign the Labor Party said that it would not have a bar of casemix. In the June economic statement the newly elected New South Wales Government said that it would promote efficiency in New South Wales hospitals and reduce hospital waiting lists by 'diagnostic related groups costing mechanisms'. For those who do not know, casemix funding is the costing mechanism based on diagnostic related groups. Dr Refshauge, the New South Wales Minister of Health and a nice bloke, applauded a number of things we are doing in South Australia and he actually managed to say 'casemix'—the big word—last week when he said, 'We have an interest in casemix, there is no doubt about that, it has value.' Is fair to say that around Australia the rehabilitation of Labor is continuing.

*Members interjecting:*

**The Hon. M.H. ARMITAGE:** The member for Elizabeth is finding it hard to work up the enthusiasm for casemix and

she uses it routinely as a way of criticising what we are doing. She uses it to criticise the fact that waiting lists are coming down and that there is a dividend to the taxpayer. I would have thought that she would be applauding that. Last Saturday's *Sydney Morning Herald* stated that the New South Wales Labor Government continued to lay the ground for a policy change, with reports that Labor's new health financing method will embrace casemix, and the headline reads, beautifully, for those of us who are casemix fans but maybe not so well for the member of Elizabeth, 'U-turn by Refshauge on casemix funding tipped'. Good on him, he is seeing the light. The quicker the member for Elizabeth in particular and the Labor Party discard their Luddite thinking on casemix funding the better.

#### SCHILLING, MR MICHAEL

**The Hon. M.D. RANN (Leader of the Opposition):** I direct my question to the Premier. Given that the notice given to Mr Schilling was given to him under the former Government Management and Employment Act, which has now been replaced by the Public Sector Management Act, will Mr Schilling continue to be paid full salary while at home on leave after Monday when the four week's notice period runs out? What are the implications for the taxpayer?

**The Hon. DEAN BROWN:** I have been relying on the advice of the Crown Solicitor, as the Leader would expect. The Crown Solicitor drafted the letter terminating the contract. I assure the Leader that the Crown Solicitor is expecting, as indicated, that the four week's notice will be given and it has been given. I am expecting, therefore, the matter to be finalised by the Crown Solicitor very shortly.

#### WELFARE SERVICES

**Mr WADE (Elder):** Will the Minister for Family and Community Services advise the House what steps he is taking to address a number of pressing welfare issues that have come to my attention? Recent media reports have referred to the emergence of a new under-class of disadvantaged people (not the Opposition, but another under-class), with suggestions that some young people are suffering malnutrition and that one organisation has run out of blankets to provide to the disadvantaged.

**The SPEAKER:** I suggest that the Leader of the Opposition resume his seat.

**The Hon. D.C. WOTTON:** I thank the member for Elder for his question. It is time for us to look at the whole area of community services and the direction in which we are heading. Welfare involves not only Federal, State and local governments but also involves non-government and providers in the general community as well.

*Members interjecting:*

**The SPEAKER:** Order! If the Leader wants the Chair to apply the Standing Orders, I will be happy to do so. There will be no more interjections.

**The Hon. M.D. RANN:** On a point of order, Sir, I was responding to an interjection and question from the Minister of Tourism.

**The SPEAKER:** Order! The Minister for Tourism is also out of order. Perhaps he would like an early minute, too. The Minister for Family and Community Services.

**The Hon. D.C. WOTTON:** We all need to realise that welfare and community services are part of a growing industry. The top 50 community social welfare organisations

in this country alone, of which the State has nine organisations represented, have an annual income of some \$1.4 billion between them. Like other industries, this sector is facing periods of major change and the need for restructuring. Today when we talk about welfare services we must also talk about issues that effect every other industry, such as long service provisions, overtime payments, penalty rates and superannuation. My concern is that we do not create a system where the very people needing help may be excluded or might go unnoticed.

Reports referred to by the member for Elder that up to 10 teenagers a week are being treated for chronic malnutrition and that one agency ran out of blankets must be of concern to all of us because, when a State contributes about \$250 000 a day, as it does each day, 365 days a year, to community services over and above services provided through the offices of the Department of Family and Community Services, we need to ask why teenagers can still starve. This \$250 000 a day does not take into account money made available through health, Federal Social Security and income support. We need to ask the question whether, if we took out a loan for whatever the experts say was needed to address the issue of appropriate welfare funding, it would mean that all social and welfare problems would be solved. I suggest strongly that the answer is 'No', because the issues are not as simple as that.

We have a debate at the moment that focuses merely on money and fails to look deeper into the real issues behind the problems. With this in mind, for the information of the member for Elder, I intend, within the next few weeks, to call together the heads of all welfare organisations in this State to look at this big picture of social issues and welfare concerns. We need to look at a range of behind the scene influences from social aspects through to economic development. Through this I hope that we can develop a new charter for this State that sets out our cooperative direction and our focus and redefines what we mean by 'welfare' so that we can improve ways to deliver help to those in need. I am also looking at ways to accommodate more greatly recognised wider community involvement from groups through to volunteers. As well as this I am exploring the possibility of creating a community chest as a means of giving the community an opportunity to contribute.

Finally, South Australia does need to rediscover its social face and as a community we need to challenge our capacity to care. If we hear about teenagers suffering from malnutrition or about crisis situations and homelessness, surely it is a call for all of us and not just the Government, not just for organisations but for the wider community to stand up and respond because we are all in this together. Figures show that Australia is up to five times less generous in giving than are some countries overseas and there is a challenge there for all of us. In conclusion, I believe that setting down new directions and defining those obligations will help South Australia greatly to enhance its social base as the State progresses with the important task of rebuilding its economic base as well.

#### MARINE PARK

**Mrs GERAGHTY (Torrens):** My question is directed to the Minister for Infrastructure, representing the Minister for Primary Industries. Who will conduct the review into the plans to establish the Great Australian Bight Marine Park, and what are the terms of reference? Unfortunately the Minister is not here but, on Tuesday, he told the House that

'over the next 12 months an independent body will look at what should happen.'

**The Hon. DEAN BROWN:** That management plan is being prepared and coordinated by the Department of the Premier and Cabinet, and it will be completed within the next 12 months. I was interested to see the press release that went out under the name of the Leader of the Opposition last Sunday about this extended area. The Leader tried to claim to the media that this was a new proposal for the marine park that should be now looked at. In fact, it was not new at all. The Government picked a specific area, created a complete exclusion zone for that area for the next 12 months, and a management plan was then to be prepared for the ongoing management of that area and to look at what other areas should be included as part of the buffer zone. The Leader of the Opposition obviously grabbed the area that the Government is looking at for the buffer zone and put this press release out under his own name. What a shyster he is to grab a proposal put out by the Government—

**The SPEAKER:** Order! I suggest to the Premier that such comments are unwise and unnecessary. I ask him to withdraw them.

**The Hon. DEAN BROWN:** I will certainly withdraw them, Mr Speaker. All I can say is that a used car dealer couldn't get away with that sort of behaviour.

*The Hon. M.D. Rann interjecting:*

**The SPEAKER:** Order! The Leader has had a fair go. The member for Light.

#### STORM DAMAGE

**Mr BUCKBY (Light):** Will the Minister for Emergency Services advise the House on the extent of recent storm and flood damage throughout South Australia and the crucial role that the State Emergency Service and the Country Fire Service played in the clean-up that followed?

**The Hon. W.A. MATTHEW:** I thank the member for Light for his question and for his ongoing interest in and involvement with volunteer services in his electorate. The member for Light unlike the member for Playford is well aware that I am responsible for more than three agencies, including the Country Fire Service and the State Emergency Service. From the evening of Friday 21 July until Sunday 23 July, Country Fire Service brigades and SES units were mobilised in the Adelaide Hills, the outer metropolitan regions and the Mid-North as a result of the wild weather which hit the State over that weekend. In addition, members of the South Australian Metropolitan Fire Service assisted with calls in the metropolitan area. The first wave of damage occurred when a strong wind cut a path of damage from Cummins to Tarlee. Resultant extensive damage in the township of Tarlee saw the mobilisation of SES and CFS crews to minimise further property damage in that region. The crews were involved in clearing roads which were blocked by fallen trees.

On Saturday 22 July, as members will recall, there was extensive rainfall which gave rise to potential flooding in the Hills regions. That resulted in the State Emergency Services headquarters operations room being activated to monitor the situation closely. Precautionary sand bagging was undertaken by emergency crews, particularly in the Adelaide Hills by both CFS and SES volunteers, to ensure that rising water levels did not cause property damage. In total, 5 000 sand bags were used by volunteers. I advise the House that the latest CFS reports available to me indicate that the Country

Fire Service received 52 calls for assistance involving flooding, fallen trees, damaged power lines and roof damage. The total commitment across the State by the CFS alone involved 58 fire appliances and 347 volunteer personnel who gave their time.

I am advised that throughout the operation excellent liaison occurred between all agencies involved including the police, the Metropolitan Fire Service, the Country Fire Service, local government authorities, ETSA employees, and SA Water, and that all services were well prepared should the flooding situation have escalated to a major emergency incident. Thankfully, it did not. One of the reasons that the incident did not become more severe was because of the tireless efforts of those personnel. Through their dedicated efforts, many insurance companies in South Australia can be thankful that they have been spared having to pay out extensively for much worse damage which could have resulted had these precautions not been taken.

### MARINE PARK

**Mrs GERAGHTY (Torrens):** My question is directed to the Minister for Infrastructure representing the Minister for Primary Industries. What action is the Minister taking to ensure that the establishment of the Great Australian Bight Marine Park is compatible with the continued existence and exercise of rights conferred by native title within the park, and will he give an undertaking that the Government will not use the issue of native title to delay the establishment of the marine park?

**The Hon. DEAN BROWN:** Now that there is a native claim on this specific area, it means that a very extensive process will need to be undertaken, particularly because of the Federal legislation. As the honourable member would know, the State Government has objected to the mechanism that must be gone through and the very long time frame required under that process. We believe that it will become almost unworkable because of the process set down by the Federal Government in its legislation. There is no doubt that that matter will have to be looked at, but I assure the honourable member that, despite the fact that there is a native title claim on the area involved, the complete exclusion zone and the development of the management plan will proceed as originally planned.

### TAFE

**Ms GREIG (Reynell):** My question is directed to the Minister for Employment, Training and Further Education. In line with the State Government's approach to training, will the Minister indicate to what extent private providers are involved in offering courses relevant to workplace needs?

**The Hon. R.B. SUCH:** I thank the member for Reynell for her question. She is one of our excellent southern members of Parliament. Whilst I often speak favourably about TAFE and the universities—and quite appropriately so—it is also appropriate that I highlight the contribution being made by private providers of training in South Australia. We have about 180 separate providers of private training in South Australia covering such diverse areas as theology (we have three theological colleges that offer degree programs), beauty and cosmetology (and that program might be taken up by some members opposite) business programs, computer training and, within the automotive area, an

extensive training program involving Mitsubishi and General Motors—and so the list goes on.

There is a role for both public and private providers under the newly established Vocational, Educational, Employment and Training board (VEET), private providers will have a good chance of competing in the training market. TAFE and the private providers will compete with each other to ensure that the people in the marketplace receive the best quality training. That is a healthy situation, and it is Federal and State Government policy. It means that there will be greater flexibility and greater opportunities and, importantly, the consumer, as an individual or as a company, will have a wider range of choice. I am pleased this week that I was able to present awards to the hospitality group training scheme at the Hilton International Hotel. I was delighted to see today that the *Advertiser*, under the leadership of Peter Blunden, is giving considerable publicity to the achievements of our young people through the private providers system and backed up, in this particular case, by the resources of TAFE.

Training does not often get on the front page of the *Advertiser* and other mainstream media but, without good quality training, we do not progress as a State, we do not develop as a community, and we cannot compete internationally or within Australia. So it is a vital issue. It may not get up there in bright lights always, even though it is my endeavour to do so. In South Australia we have 180 excellent private providers working alongside the excellent TAFE system, as well as our three outstanding universities. It is something that I trust the community of South Australia will appreciate and will come to recognise as world leaders.

### LOCAL GOVERNMENT REFORM

**Ms HURLEY (Napier):** In light of the Premier's strong public statements against forced council amalgamations, will he give a commitment to support a referendum of voters before any amalgamations take place and, if not, what specific action will the Government take to ensure that any changes to council boundaries have the support of ratepayers and residents?

*Members interjecting:*

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

**Ms HURLEY:** The Premier's ministerial statement of 26 October 1994 on local government reform—

**The Hon. S.J. BAKER:** I rise on a point of order, Mr Speaker. If my memory serves me correctly, the issue of the referendum was raised, I think, by the Leader of the Opposition on Tuesday.

**The Hon. M.D. RANN:** I rise on a point of order, Mr Speaker. Absolutely incorrect!

**The SPEAKER:** Order! The Chair does not have the question in front of him; therefore, I allow the explanation to continue.

**Ms HURLEY:** The Premier's ministerial statement of 26 October 1994 on local government reform stated:

The Government will not force amalgamations.

Later, he stated:

I also make the point that improved delivery of services does not necessarily depend on council amalgamation.

**The Hon. DEAN BROWN:** It appears that the honourable member has asked this question today without even bothering to pick up the MAG report and read it. I would have thought she has made a bit of a fool of herself in doing

so. The report is there for people to read, and I urge her to read it. If she does so, she will appreciate that the board will be set up by legislation and will determine the boundaries. The terms of reference and powers given to that board are yet to be decided in legislation yet to come before this Parliament. It is ridiculous for the honourable member to ask this question and even to raise the issue in the House when quite clearly that is a matter yet to be decided by the Parliament. At this stage, there is nothing about any proposal that there will be mandatory amalgamation of councils. That is a matter entirely in the hands of the legislation that comes before this Parliament. I rest my case there.

#### **SOUTH AUSTRALIAN GOVERNMENT CAPTIVE INSURANCE CORPORATION**

**Mr EVANS (Davenport):** Will the Treasurer inform the House what steps the Government is taking to improve risk management across the public sector since the formation of the South Australian Government Captive Insurance Corporation?

**The Hon. S.J. BAKER:** I will be very brief, given that we would like to get through Question Time today by the appropriate time. Risk management has been of considerable concern to the Government—at least since we have been in power. I am not sure whether it ever featured on the agenda of the previous Government. The reason is that there are a number of exposures to potential risk, whether they involve civil liability, whether through malfunction of equipment or whether through some event or catastrophe. It is important and vital that every chief executive officer look at his or her operations and come up with a risk management plan. The formation of SAICORP, and having a Government Captive Insurance Corporation to manage our affairs, has led to very positive results with regard to premiums by bulking up Government and then going out into international markets.

The other important issue that I have been pressing hard is the matter of risk management. It is important to the insurers and to the Government to know that we have it under control. I have issued a statement about risk management and the principles involved, and some guidelines are being issued to all CEOs on that matter. It is a vital issue, something that most Governments have overlooked and, of course, we cannot afford to have large risk exposures.

The objects of risk management are: first, the identification and analysis of potential exposures the Government may face; secondly, the development of risk management techniques for control of exposures; thirdly, the implementation of those techniques; and, fourthly, the monitoring of the results and modification of chosen risk management techniques. They are virtually the four principles involved in management. With a bank and with other events here, we have seen that the costs to Government and to the taxpayers are enormous. We have to reduce that risk and get a better result for the taxpayers of this State. It is a process to which I have been personally committed for a number of years, and I am pleased to say that it is now starting to spread throughout the public sector.

**The Hon. DEAN BROWN:** On a point of order, Mr Speaker, it is appropriate to point out to the House that on Tuesday, the member for Napier—

**The SPEAKER:** Order! The Premier is out of order. If the Premier wants to make a personal explanation at the end of Question Time, he is entitled to do so.

*The Hon. Dean Brown interjecting:*

**The SPEAKER:** Order! I call on the member for Taylor.

#### **HOUSING TRUST TENANTS**

**Ms WHITE (Taylor):** In light of the recent report into the future redevelopment of Salisbury North, which was commissioned by the Salisbury council and the Housing Trust, can the Minister for Housing, Urban Development and Local Government Relations give an assurance that current Housing Trust tenants in that suburb will not be pressured to relocate in the event of this redevelopment? Will the Minister be offering any special consideration and assistance to those tenants who might be interested, at the time of this redevelopment, in purchasing the Housing Trust property in which they reside?

**Mr LEWIS:** I rise on a point of order, Mr Speaker. I regret that I am somewhat deaf, but I cannot hear the question.

**The SPEAKER:** Order! The Chair is not in charge of the microphones. The Chair could hear the member for Taylor. I will endeavour to ensure that the amplification is turned up.

**The Hon. J.K.G. OSWALD:** The relocation policy of the Housing Trust on these occasions is fairly specific. Housing Trust senior officers will make contact with residents, and every effort is made to see that the residents are reaccommodated in new premises of their choice. If we cannot relocate them—and that depends very much on the property concerned—and if the property concerned is substandard and should not be lived in, we make every effort to relocate them prior to the redevelopment. In the past there have been examples where people have been temporarily relocated and moved back into brand new accommodation in the redeveloped areas. It is very much a matter of the trust officials sitting down with the tenants and working through what is in the best interest of the tenants.

We are not about relocating people and forcing them out of the area but about relocating people into properties and suburbs of their choice. If people wish to stay in a suburb, it is possible to relocate them into temporary accommodation and then back into brand new accommodation, or something similar. The aim is to ensure that there is minimum dislocation and that people retain their residency in a particular suburb, if that is their choice.

#### **PARAMEDICS**

**Mr BECKER (Peake):** Will the Minister for Emergency Services provide the House with an update on the South Australian Ambulance Services paramedics program and the effect of the program across the State?

**The SPEAKER:** I draw the Minister's attention to the time and also to Standing Orders which require Ministers not to debate the question.

**The Hon. W.A. MATTHEW:** I thank the member for Peake for his question and his ongoing interest and involvement in the ambulance service. I am pleased to report to the House that on 24 August this year the State's first group of nine South Australian-trained paramedic officers will become graduates as fully qualified paramedic officers. Those nine join the original six paramedic officers who were trained in New South Wales, taking the number to 15 paramedic officers working in ambulances in our State. The next course of nine officers is due to commence on 3 October this year.

The most publicised example of the work undertaken by our new paramedic officers was a recent incident which

occurred when a young child fell into the Torrens River whilst still strapped into a stroller and, after several minutes, was hauled out of the water. As members would recall, when the child was pulled out of the water there was no evidence of life. However, one of the first officers on the scene was a new paramedic officer who was able to sustain life, using skills which recently had been acquired through his paramedic training.

This service also will be utilised through the recently announced trauma service, launched by the Minister for Health. We will see two trauma centres in South Australia, one at the Royal Adelaide Hospital and the other at Flinders Medical Centre. To ensure that the new trauma program is fully supported by paramedic officers, it will be necessary to have a paramedic officer riding each emergency ambulance in the Adelaide metropolitan area as well as having paramedic support in our regional centres. That will necessitate, by the year 2000, some 105 paramedics in operation. As a consequence, there will be three paramedic courses each year to take us to the numbers we require.

Each paramedic course is of some 11 weeks duration, seven weeks of which is spent in the classroom and four weeks in clinical placement at major teaching hospitals. If they successfully pass that part of their course, those officers then spend a further 16 weeks as interns at a nominated ambulance station. This exciting program is a further example of how emergency services can deliver a better service but at the same time at a more cost effective rate for South Australian taxpayers.

#### CHILD CARE

**Mr De LAINE (Price):** Will the Minister for Employment, Training and Further Education investigate the criteria used for admittance of young women into the TAFE social sciences child-care course and make whatever changes are necessary to provide equal opportunity for all young women to enrol for this course? It has been put to me that many young women who have just left school or who are working in child-care are being denied the opportunity to do this course and thus gain a qualification because preference is given to teachers, in particular, and women who have qualifications in other fields.

**The Hon. R.B. SUCH:** I thank the honourable member for his question. I will certainly investigate the matter. There is a great demand for trained child-care workers as it is very much a growth industry, and it is appropriate that the people in the industry have suitable training. In regard to preference being given to mature age applicants rather than school leavers, I certainly will investigate that matter, because the department should not—if it is—be giving preference to one age group over another. As a Government, we are totally opposed to discrimination and I will certainly obtain a detailed response for the honourable member.

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#### WOMEN'S INFORMATION SWITCHBOARD

**The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development):** I table a ministerial statement and report made by the Minister for the Status of Women in another place this day.

#### PROSTITUTION

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

Leave granted.

**Mr BRINDAL:** In the course of the debate on prostitution, I might have given the impression that the Baptist Union of Australia was, as a group, in favour of reform of the prostitution legislation. I have checked my file and I find that, while I indeed had messages from a number of clergy within that denomination, I had no official representation from the church. If I conveyed to any members the wrong impression I do apologise, as I apologise to the Baptist Union.

#### GRIEVANCE DEBATE

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

**Mr CUMMINS (Norwood):** Last Saturday 22 July I had the pleasure of attending the inaugural Anti-Cancer Foundation Soccer Ball which was held at the San Giorgio La Molar Club, Henry Street, Payneham. It was a very successful evening, and one of the interesting statistics brought out during the evening was that in 1992 cigarette smokers required 812 866 hospital beds in Australia, and active smoking killed 18 920 people in Australia. In South Australia, by the age of 17, one in three people are regular smokers. This information was gleaned from a survey carried out by the University of Western Australia. I will deal with some of those statistics later, but now I want to point out to the House how vital the work is that is done by the Anti-Cancer Foundation.

Unfortunately, many people who support such organisations are not recognised for the work they do, and today I want to recognise some of the people involved in this function which raised something over \$7 000. I want to thank the committee of the San Giorgio La Molar Community Centre, Henry Street, Payneham, and, in particular, the president of the club, Peter Belperio, and also a founding member of the club and former president, Mr George Trotta. The club not only provided the venue but donated the alcohol sold on the night. The night was supported strongly by the Italian community and something that I have learnt since becoming a member is that those people are great supporters not only of their own community but also of the general South Australian community.

Some 400 people attended the function, and I would be remiss if I did not recognise the contribution of Alex Tobin who spoke on the night. As we all know, Alex is captain of the Socceroos and the Adelaide City Soccer Club. I also wish to recognise Peppi Buetti and Malcolm Elliot who, although working for the foundation, work beyond their call of duty. I am pleased to say that the function was supported by both the Labor Party and the Liberal Party, as was acknowledged on the night by Dr Fedora Trinker, who is Executive Director of the foundation. Also, there was a major contribution by the member for Hartley, who is not in the House this afternoon but who was the instigator of this function and a major driving force behind it. How he gets time to do that given his parliamentary duties is beyond me.

The foundation is involved in prevention education as it relates to cancer and also patient services. The Anti-Cancer Foundation has a cancer prevention and education unit, and that campaign seeks to raise awareness in South Australia of



lifestyle factors on cancer prevention and early detection, and those areas are absolutely critical in relation to most cancers. A total of 51 per cent of people diagnosed with cancer will now survive, and those statistics are very different indeed from what they used to be. There is also a screening program for cervix cancer, which is the sixth greatest killer of women in this country. There are 360 deaths per year and 1 000 new cases reported each year.

Records are now being kept by the Anti-Cancer Foundation in relation to bowel cancer, and those records will ascertain the vulnerability of people to bowel cancer due to family history and will therefore ensure early intervention to identify and treat it when it occurs. There also are cancer prevention programs running in most schools. One program which ran in relation to skin cancer recently was called 'No hat, play in the shade' and it was promoted in all primary schools in South Australia. There also are programs in relation to preventing the use of tobacco and in relation to nutrition. A total of 35 per cent of cancer cases in this country relate to what we eat, and that is consistent with a survey which was carried out in 1981 by Doll and Peto and which was called 'The Causes of Cancer.' So, food and diet are very important in relation to the issue of cancer, but the fundamentally important thing is that the Anti-Cancer Foundation is supporting South Australia and doing a darn good job.

**Mr CLARKE (Deputy Leader of the Opposition):** I refer to the Hindmarsh Island Royal Commission and in particular the Premier's answer to the questions I put to him earlier today. One would believe from what the Premier said that Mr Doug Milera was of no real consequence as far as the Premier was concerned in the Government's decision to call a royal commission. I remind members of a statement made by the Premier in answer to a question from the member for Ridley on 7 June in this House. The Premier said:

Yesterday, Mr Milera, as Secretary of the Lower Murray Aboriginal Heritage Committee, sent a letter to the Federal Minister for Aboriginal Affairs, Mr Robert Tickner, and I should like to bring to the attention of the House the last paragraph of that letter, as follows:

The Premier then quotes that letter and continues:

That letter is signed by Doug Milera. This morning, Doug Milera said some things on air that disturbed me considerably, and I know they disturbed many others, including the Minister for Aboriginal Affairs in South Australia.

The Premier said in *Hansard* on 7 June:

Doug Milera said on air this morning that he was once a very strong opponent to the bridge. He said also: 'Let everybody in South Australia know that I was one of the instigators who created the story to stop the bridge.' He went on to say: 'The women's business is all fabricated.' He further said: 'This debacle has gone on for far too long. My wife and I have been under tremendous stress.'

Here is someone in Doug Milera, whom I can recall from my own visits to Goolwa and statements from the Goolwa area effectively led the protest against the construction of the bridge. Through his wife, he was also very closely involved in the preparation of Professor Saunders' report.

Of course, then there was the ministerial statement issued by the Premier that same day, again quoting a letter that he sent to the Prime Minister on this issue. Again, the Premier attached a great deal of weight to Mr Doug Milera's letter to the Federal Minister for Aboriginal Affairs (the Hon. Mr Tickner) in which he claimed that the women's business had been fabricated.

Mr Milera's letter was central to the Government's decision to instigate this royal commission. Mr Milera, in a statement issued through his lawyers, Stanley and Partners,

on 27 July 1995 has retracted every statement that he made in so far as alleging the fabrication of that story about women's business. Part of the statement issued by his lawyers states:

On 5 June 1995, at Victor Harbor, I was interviewed by Chris Kenny, a reporter employed by Channel 10. The interview was shown I believe on Channel 10 on the evening of 6 June. On the day of the interview I had been drinking from about midday until the interview took place late at night. I was drinking at the Middleton Tavern, initially in the company of Kym Denver of Hindmarsh Island. Subsequently, Tom Chapman came to the tavern as well. Denver and Chapman arranged for me to be taken to the Apollon Motor Inn at Victor Harbor and to meet Chris Kenny there. Wendy came to Middleton Hotel to bring Tom his mobile phone battery, then left.

I don't remember the details of the day of 5 June clearly. My solicitors have obtained statements from the proprietor of the Middleton Tavern and the receptionist at the Apollon Motor Inn. Those statements have been or will be provided to Counsel Assisting the Commission.

I was at the Middleton Tavern from... about lunch-time until the late afternoon or early evening. It seems that I was at the Apollon Motor Inn until about 10 or 11 p.m. I drank beer continuously both at the tavern and the motel.

I was interviewed by Chris Kenny on camera. I was drunk. I said a number of things in the interview which I did not believe. I spoke in anger. My anger arose out of aspects of the Hindmarsh Island bridge issue which are outside the terms of reference of this commission. I went on a bender for the next several days. I drank very heavily. I was drunk most of the time. I do not recall much about that period.

During those days, in the Channel 10 interview and at other times, I said things which I did not believe then and which I do not believe now. I said things with the intention of causing hurt to certain people. I spoke in anger and not in truth.

Further on in the statement he says:

I have apologised to people I had hurt by what I said. I now apologise to the Hon. Mr Tickner; to the Aboriginal Community; and to the people of South Australia for contributing, it seems, to the calling of this royal commission.

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

**Mr BUCKBY (Light):** I wish to bring to the attention of the Parliament an article in the *Sunday Mail* on 9 July headed 'Poison plan to kill river fish'. The plan was proposed by Mr Bryan Pierce, who is a researcher with SARDI. His proposal is to use a chemical—most likely Rotenone in the lower one-third of the Light River to kill carp. The claim is that this chemical will kill all fish within the river, including carp. I have grave reservations about the use of any chemical in our waterways, let alone one that will kill fish indiscriminately and possibly damage the environment.

I also question the need for this measure, because for many years now it has been said that carp is basically killing the Murray River, and yet recently people have been catching increased numbers of Murray cod as well as callop, catfish and silver perch (both large and small) which have not been seen in the Murray River for a number of years. I suggest, although I am not a professional angler, that a balance has been achieved within the river whereby all species of fish have reached an optimum and that carp is being controlled within that river by the indigenous fish that are present.

I further refer to an article by Mr Greg French, who wrote in *Australia's Journal of Fresh Water Fishing*, Issue 31, Winter 1995, about the chemical Rotenone. He suggested that an argument had arisen for Rotenone to be used in Tasmania's lakes, and he says that it has a relatively short active life and that, as a fish can escape the chemical by swimming into an area where the chemical has not mixed

thoroughly in the water, you do not achieve what you have set out to achieve, that is, to kill the carp in the river or lake. In relation to the chemical he says:

... it must be quickly mixed to critical levels throughout every single litre of the effective system!!

This is almost impossible to achieve within a river system, for instance, due to dense reeds, a rocky bed and areas where the water is not clear. It is highly unlikely that the impact of putting this chemical into a river and achieving what the researcher requires will be successful.

It is suggested that the chemical would be put into the Light River in December, that is, at a time of low flow when there would be a maximum chance of its working, because you would be able to mix it within ponds. What happens to the carp in the other two-thirds of the river if the chemical is put into only the lower third of the river? That is not being controlled at all. Therefore, why bother treating the lower third, especially if eggs or lava in that lower third are missed? Consequently, the problem has not been solved and a vast number of native fish have been killed in the process. Native fish present in the Light River include goldfish, congolli, galaxias, yabbies, shrimp and also native turtles. The threat to those fish would be immense. It has been suggested that there are 12 species within the river and that 1 000 fish of each species would be taken out of the river and replaced after the chemical had completed its work.

It has been suggested that the river will be stocked with 40 000 trout after placement of the chemical. There are already trout in the river, and I suggest that putting that number of trout in against the local indigenous population will mean that the native species will suffer. I have spoken to the Minister about this proposal and he has informed me that he is not aware of any such approval for this, and I cannot support the proposal.

**The ACTING SPEAKER (Mr Bass):** Order! The honourable member's time has expired.

**Mr VENNING (Custance):** I should like to conclude the remarks I made yesterday about the problem caused by substandard resurfacing of tennis courts, with a warning to the public to beware. However, I do not believe that it is fair that a person who worked for the previous company that did all the bad jobs should necessarily carry the blame for the work carried out by that company unless, over time, those poor work practices are proven to be continuing. As I have stated, I am not aware that that is happening. Investigations are continuing and I have had telephone discussions with the new company. All I can say to any sporting body or private individual considering resurfacing tennis courts, netball courts or any playing surface is that they make themselves aware of the problems that have occurred across the State over the past two years. There is no such thing as a cheap job or a short cut. With the variations in the weather pattern that we have experienced over the past few years, the cheap jobs are coming unstuck and are causing a lot of duress.

I also bring to the House's attention the absolutely filthy condition of the Barossa Valley water supply at present. I have spoken about this matter before and I know that the Minister has intimated that, as quickly as possible, a water filtration plant is to be built for the Barossa Valley. The project has gone further than the talking stage, but not a lot further, so it is still a long way off. The Barossa's water is an absolute disgrace, so much so that I will bottle it next week and every member will get a sample of it to see how serious

this matter is. I am sure that most members do not realise how bad it is.

Most of us have clean tap water, and we take it for granted; but, when you get mud out of your tap, you try to wash nappies, have a bath or soak shirts, it is an absolute disgrace. This problem should receive high priority; it should have been dealt with 20 years ago. Many members before me have highlighted this problem to the House and I know that the member for Light's predecessor (Dr Bruce Eastick) brought this matter before the House over 10 years ago. Why is it that the tourism jewel of South Australia delivers mud through its taps? Indeed, that is what it is—absolutely filthy mud. What annoys me is that people in the Barossa pay top price for it as well. They pay the same price that I and other members pay for clean filtered water.

Another matter of concern is the way in which the House deals with private members' motions. On three occasions, I have had a private member's motion listed first on the Notice Paper, but those three motions, on three different topics, were never debated. What has happened to private members' motions in this House? There is no incentive to do any work or research because, although it is placed on the Notice Paper, it is not likely to get up. One would think that the first motion on the Notice Paper would at least be called on, but that has not happened, probably because of the abundance of committee reports that now come before the House. I ask the powers that be, particularly the Standing Orders Committee, to consider this problem. We have no choice but to put in the committee reports in parliamentary time, and I suggest that that be on Wednesday evenings when we often go home at 8 or 8.30. What is wrong with a couple of hours of debating private members' business on Wednesday evening? At the moment, it is a total joke.

I gather that this evening we will go through all that great list of private members' business, some of which is very important, and we will have to decide on the whole lot, yet many of the matters have not been debated. That is a disgrace. What is it all about? What has happened to private members' privileges? The Government must take a good look at this matter, and the Standing Orders Committee should reassess the position. My motion on the Notice Paper today was a very important one concerning the South Australian railway system. That, too, is a disgrace. We have three systems operating in this small State, and it is absolutely chaotic. We have TransAdelaide, AN and National Freight, with Track Australia also coming in. The question is: what is the future of Australian National?

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

**Ms STEVENS (Elizabeth):** I should like to refer to the statements about casemix made by the Minister for Health during Question Time. I want to clarify those matters and give my views on casemix. Just to put things in perspective, let me say that casemix was introduced in South Australia under the former Minister for Health (Hon. Martyn Evans). The health sector began investigations into the use of casemix as a management tool as a way of measuring efficiency, as a way of examining what happens in hospitals with respect to the provision of services and to enable comparisons and progress to be made.

It should be put clearly on the record that casemix started under the Labor Government. However, there are some very important things that we need to consider. Casemix was designed as a management tool to enable people to look

critically at what they do and to make changes. We run into trouble when casemix is used in a way in which it was not designed to be used. That is why there are problems in South Australia and Victoria. In this State, casemix has been used to deliver dollars in a very convenient way from the Minister's point of view, because he can apply a formula and get the results he wants. Opposition members do not object to the casemix system as it was originally designed, but we do object to casemix being used for a purpose for which it was not designed, that is, for the purpose of delivering funding cuts. That is what this Government has used casemix for.

I continue to be astounded when the Minister for Health stands up in this place and says that he is proud of what he has achieved under casemix. Does the Minister really believe what he says? If so, he must be the only person in South Australia who does. He needs to talk to people in the health sector, because the story out in the field is a very different one. I will mention briefly some of the amazing bungles that have occurred since the introduction of casemix under this Government. No doubt members will recall some of these stories. Casemix operates with bonus pools, and the theory is that the more one does the more likely one is to qualify for bonuses. The problem was that there was not enough money in the bonus pools: everyone got stuck into increasing activity levels but the money in the pool, which was supposed to last for a year, ran out after three months. Even worse, the hospitals did not know about it until six months had passed.

Flinders Medical Centre missed out on about \$3 million it would have received had the Health Commission and the Minister played by the rules they had set down. They did not. A number of diagnostically related groups (DRGs) were inappropriate, and there have been problems with that in the metropolitan hospitals, the Women's and Children's Hospital and certainly in the rural areas. There have been enormous problems with the Health Commission's collecting data. Members may recall that several times the commission got the data wrong, and that caused havoc in the health units. This was because it went in too fast. There was no planning or infrastructure, and of course we have massive problems. I foreshadow to country members that we are about to see an amazing carry-on with country hospitals and casemix because at the moment the Health Commission is attempting to deliver casemix in full to the country and it is in a big mess.

*Members interjecting:*

**Ms STEVENS:** I am warning members in advance, because our information tells us that the Health Commission is trying to sort it out as I speak, but it will be in your lap very soon.

**The DEPUTY SPEAKER:** The honourable member's time as expired. The member for Ridley.

**Mr LEWIS (Ridley):** I want to draw two matters to the attention of the House today. The first is that of an Indonesian student—Rusmand Panjaitan—who is doing incredible research work into electric motors in South Australia. I disclose an interest from the outset. The Panjaitan family has been well known to me: it is a huge family of Batak derivation from Uatar, Sumatra. This brilliant scholar, who comes from that family, was a lecturer at Bandung University prior to coming to South Australia just four years ago to study for a master's degree by research and off-course work. His work is on DC motors.

I ensured that he was able to remain here when it was believed that his English was not adequate. After a very short

familiarisation period he learned to express himself well in English—he had been able to read English as a result of the schooling that he had had in Indonesia—and to come up to a sufficient standard to enable him to make reports of his research in English rather than either his native tongue Batak or Bahasa Indonesia.

If his work is as good as I and his supervisors believe it to be it will no longer be necessary for us to use DC motors in any application or situation. This entirely new generation of induction motors, which his research program is making possible, will have tremendous economic advantages worldwide. They are much cheaper to manufacture than conventional direct current motors, require no maintenance, are much lighter and much more compact, for the equivalent output of power. They will replace the conventional DC motor, for that reason. They will be far more reliable. They have smoother, more consistent power delivery than conventional DC motors: indeed, they have a totally consistent power delivery.

I would want that research being undertaken to continue, because it is advancing our knowledge on this matter almost on a monthly basis. This is the opinion his supervisors have put to me. It is unfortunate, then, that ADAB has told him that it will remove his grant funding to complete that research, not only because of the effect it will have on him but also because of what we will lose.

The other matter to which I wish to refer concerns the Hindmarsh Island bridge and the attacks that have been made on me from time to time by the Deputy Leader of the Opposition and some of the statements that he has made in this House in consequence of doing so. It is unfortunate to find that a number of white people may have been involved in the generation of concern even after the planning approval process had been completed. Their interest and concern was that they might lose their view or some such thing.

It would be helpful if Mr Noel Rosgrove and Mr Bill Longworth were to stand up and say what they knew about this matter and how much they had had to say during the course of the decision about whether or not it should proceed and subsequently in relation to getting concern expressed about it. I am anxious to know how come it was discovered by Cheryl Saunders and Dene Fergie and revealed to them by Doreen Kartinyeri after the decision to proceed had been made to build the bridge. How come these beliefs of great moment about the Murray, the channel and the mouth, and the so-called women's business that those people put forward, were not held by Doreen Kartinyeri prior to 1989 when she wrote and published her treatise on the Kartinyeri family genealogy in which she said that she told Lewis O'Brien, 'I didn't know much about the culture, customs and language, but I said I did know about family history.' As she pointed out on the previous page, 'I was taken from the mission fairly young when my mother died. I would like everyone to have had the teaching for themselves, but a lot of people haven't.' She was there talking about what she had learned about the genealogy, not the culture.

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

### LEGISLATIVE REVIEW COMMITTEE

**The Hon. R.B. SUCH (Minister for Employment, Training and Further Education):** I move:

That the committee have leave to sit during the sitting of the House today.

Motion carried.

### MISREPRESENTATION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 July. Page 2902.)

**Mr ATKINSON (Spence):** The Bill increases the maximum criminal penalty for misrepresentation in commercial transactions from \$500 to \$20 000 for individuals and to \$100 000 for companies. These penalties are the same as those imposed for misrepresentation by the Fair Trading Act 1987. Penalties under the Misrepresentation Act have not changed since 1972 when the Act was proclaimed. The Bill also has a statute law revision schedule, which imposes a number of stylistic barbarities on the language of our statutes, most notably the abolition of the useful 'shall/will' distinction achieved by eliminating the useful auxiliary verb 'shall'. With those comments, the Opposition supports the Bill.

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

*A quorum having been formed:*

**The Hon. R.B. SUCH (Minister for Employment, Training and Further Education):** In relation to the Misrepresentation (Miscellaneous) Amendment Bill—

**Mr BECKER:** On a point of order, Sir, it is very hard to hear the Minister. Could everyone resume their seats?

**The DEPUTY SPEAKER:** Order! I ask that members resume their seats.

**The Hon. R.B. SUCH:** Before uttering my profound remarks, I wish everybody a very enjoyable break. In summing up in relation to this piece of legislation, the Opposition has made a useful contribution, which is a change. I thank members opposite who have displayed great skill in the debate and who I am sure have helped add to our legislative armoury in South Australia. I thank all members for their contributions and look forward to this Bill's going through and becoming part of the legislative armoury of this State.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

**Mr ATKINSON:** Is there any reason why the Bill should not commence forthwith rather than by proclamation?

**The Hon. R.B. SUCH:** There is no reason why it cannot commence virtually forthwith. It is obvious that the member is keen that it be proclaimed as quickly as possible, so I will certainly take those comments on board.

Clause passed.

Clause 3—'Misrepresentation made in the course of a trade or business.'

**Mr ATKINSON:** If there is an identical section in the Fair Trading Act, why it is necessary to duplicate that provision in another Act?

**The Hon. S.J. BAKER:** The principal reason, as the honourable member would understand, is that in dealing with

the Fair Trading Act we are talking about consumer legislation. When we are talking about misrepresentation, it takes a much broader ambit and the honourable member can understand that this Bill has to have the integrity of its own penalty clauses.

Clause passed.

Clause 4 passed.

Clause 5—'Further amendment of principal Act.'

**Mr ATKINSON:** I am still curious, and have been for a number of years, about these statute law revision schedules and the way in which they eliminate English words that do a perfectly good job and bear a clear meaning and replace them with other words. You, Sir, are familiar with the distinction between 'I shall' and 'I will', yet this Bill eliminates the distinction. There are shades of meaning. The distinction between 'shall' and 'will' is an important distinction that carries a shade of meaning that is important to our language, yet we have these statute law revision schedules that eliminate the distinction, which is well known, particularly to those who live in the south of England. Will the Deputy Premier explain why this shade of meaning needs to be eliminated?

**The Hon. S.J. BAKER:** As I am not of legal practice or legal qualification, I inform the honourable member that the meaning of the word 'shall' has been brought into great disrepute and I understand that there has been a challenge on the 'shall' statement and on whether it requires action. There has been a suggestion that it implies discretion. The word 'will', however, is not subject to the same interpretation where the distinction is clear. If there is a 'will' statement such as 'I will' do something, 'you will' do something, 'the Minister or the courts will' be required, that is a clear statement of action. I am told that that is the interpretation. Whether the English law originally, as the honourable member suggests, put an interpretation on 'shall' as being quite definitive, as in an action 'shall be taken', he quite rightly questions what has happened to the English language. I understand that it is the lawyers who have actually taken the English language apart.

**Mr ATKINSON:** Will the Deputy Premier explain to the Committee why it is necessary to banish the word 'notwithstanding' and replace it with 'despite'?

**The Hon. S.J. BAKER:** This is part of Parliamentary Counsel's dedication to plain English.

**Mr ATKINSON:** Will the Deputy Premier explain to the House how 'notwithstanding' is ambiguous and 'despite' is clearer?

**The Hon. S.J. BAKER:** It results from changes in the English usage of the word 'notwithstanding'.

**Mr ATKINSON:** From what to what?

**The Hon. S.J. BAKER:** The member can contemplate this over the next two or three months until we come back and can perhaps have a grievance on the issue of the English language—as I am sure he will (I do not need to encourage him). The question of 'notwithstanding' is important for some people to clarify and that is what is being done. The word 'despite' is clearly understood. It is a matter of interpreting this in plain English that everyone can understand. The word 'notwithstanding' does not have the same clear meaning. Again, I congratulate Parliamentary Counsel for tidying up the legislation.

Clause passed.

Schedule and title passed.

Bill read a third time and passed.

## RESIDENTIAL TENANCIES BILL

Consideration in Committee of the Legislative Council's message.

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

That the consequential amendments made to amendments Nos 45 and 46 and amendments Nos 43, 56, 57 and 65 be agreed to; that amendments Nos 1, 2, 4 to 42, 44, 48, 54, 61 to 63, 66 to 69, 71, 75, 76, 78, 79 and 80 be not insisted upon; and that the alternative amendments made by the Legislative Council in lieu of amendments Nos 1, 5 to 11, 15, 17 to 39, 44, 48, 54, 61, 66, 67, 78 and 80 be agreed to.

There has been a meeting of the minds on this matter. As members would understand, when the Bill left this place it contained a large number of amendments. There was a difference of opinion between the Government and the Opposition and those who claim to be the Opposition in another place about the detail that should be contained in the new Residential Tenancies Bill. The Government was of a mind, as members would recognise, to ensure that it had an operating system in South Australia which balanced the needs of tenants and landlords, a system which allowed for expeditious settlement of differences of opinion and claims and which ensured that justice would be done.

The Government had a different view from the Opposition regarding where that jurisdiction should lie. As members would recall, the Government believed that the residential tenancies responsibility could come under the Magistrates Court rather than a separate tribunal. That proposal did not succeed in the meeting between the various parties which had an interest in this matter. However, I think most of the other amendments have been fully debated by the various parties. Agreement has been reached on some of the most important issues. I am pleased to see that the amendments suggested by the member for Lee in relation to the damage of property have managed to succeed as a result of that consultation. I note also that the issue of noisy behaviour has been addressed within the amendments before us.

So the Government is pleased that some progress has been made on the Bill. Obviously, it still believes that the tribunal should not stand in its own right. The honourable member might well reflect on what the High Court has determined in relation to at least two matters affecting decisions by tribunals which are not constituted within the legal framework. We believed that it was important to settle this matter and to have a system which not only took a very fair view of claims made by both landlords and tenants but also corrected a deficiency which is always liable to occur in the Residential Tenancies Tribunal, and that is to ensure that the order of law is maintained in the clarification of those cases.

So, whilst the Government has not succeeded, I believe that time will allow those members who rejected the proposition to reflect and rethink their position on this matter. They will find that we could satisfy all the concerns that some people may have about changing the operational nature of the Residential Tenancies Tribunal and bring it under the courts but still maintain that greater freedom that is allowed in the tribunal today. The outcome on that front is a disappointment to the Government, but the outcome of a number of other matters that have been debated in this House generally has been reasonably satisfactory. The member for Spence would have had the opportunity to be involved and understand the nature of the amendments that have been moved. I presume that he would still wish to debate one or two of those issues but, as far as a compromise is concerned, the Government

wants to put on the record that progress has been made but that it does not believe that the final determination on this issue has yet been made. I commend the amendments to the Committee.

**Mr ATKINSON:** The Residential Tenancies Bill was a compromise. The procedure was a little different from usual. We had meetings which were in the nature of a deadlock conference but which were not formally a deadlock conference. We reached a compromise without having to have such a conference. The Opposition is pleased that the Residential Tenancies Tribunal has been retained. We think it has done good work. It is now possible for magistrates to serve as the Residential Tenancies Tribunal in certain circumstances, which will be enumerated by regulation. We agreed to the Government's proposal for the Residential Tenancies Tribunal's rules to be codified, so that we now have rules of court before the tribunal. Under the previous Labor Government, legislation was passed by the Parliament to allow Housing Trust tenants access to the Residential Tenancies Tribunal. The new Government did not proclaim those amendments.

**The Hon. S.J. Baker:** Neither did the old Government.

**Mr ATKINSON:** The Deputy Premier says, 'Neither did the old Government', but we were not there very long between the legislation being passed by Parliament and the opportunity to proclaim it. It would be fair to say that during those months we were embattled, to say the least.

**The Hon. S.J. Baker:** More important things.

**Mr ATKINSON:** That's right. The Government has now accepted a limited right of access of Housing Trust tenants to the tribunal, which the Opposition welcomes. There has been a streamlining of the procedure for recovering bond money, which the Opposition supports. Members may recall that during Committee the member for Lee proposed to add criminal penalties to a section of the Act so that a tenant who was proved to have caused damage to the dwelling he or she was renting could be charged with a criminal offence. The Labor Opposition saw that as undesirable in the context of a Bill such as this—a criminal offence right in the middle of a long Act about civil law.

However, a compromise has been reached whereby the wilful damage provisions of the Criminal Law Consolidation Act or, if not that, the Summary Offences Act, have been reproduced in the Residential Tenancies Act. Duplicating laws in this way is not desirable but, if it improves relations between the member for Lee and his Government, I suppose it is worthwhile. They were the principal issues with which I wanted to deal. I am happy with the procedure that has led to this compromise. Given that Labor is now in opposition, it is the best deal we could have struck.

Motion carried.

## ELECTRICITY CORPORATIONS (ETSA BOARD) AMENDMENT BILL

Returned from the Legislative Council without amendment.

## SOUTH AUSTRALIAN WATER CORPORATION (BOARD) AMENDMENT BILL

Returned from the Legislative Council without amendment.

*[Sitting suspended from 4.4 to 5.30 p.m.]*

## PROROGATION

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

That the House at its rising adjourn until Tuesday 22 August at 2 p.m.

It is normal when debating the adjournment motion to reflect on the operations of the House during the past session and to thank those who have served this Parliament so well. When we consider the changed timing of the budget and the legislation with which the Parliament has dealt, on reflection we can say that the House has acquitted itself particularly well. On occasions we have had vigorous debates, we have even had one or two good Question Times, and the House has managed to get through the business laid down by the Government in very expeditious fashion. I thank all members, including the members of the Opposition, for their assistance, because without the cooperation of both sides of Parliament things would be much more difficult.

*Members interjecting:*

**The Hon. S.J. BAKER:** Perhaps we could think of another one next year. We actually added a bit of colour and light to the Parliament and to the populace.

*Mr Atkinson interjecting:*

**The Hon. S.J. BAKER:** As the member for Spence suggests, a bit of flair and light. I believe that the House has dispensed its duties in an appropriate fashion. One or two members have transgressed and paid the penalty, and that is also appropriate: we should not have a Parliament that is so regimented that members are afraid to take up the issues of the day vigorously.

I congratulate and thank the staff who have served this Parliament well. You, Mr Speaker, have carried out your duties without prejudice and in a manner befitting the premier position of Speaker of this Parliament: I thank you for your deliberations during this session. I always praise the *Hansard* staff, because they do such a wonderful job. Occasionally I reflect when I give this thank you speech on what more I can do. Perhaps *Hansard* could provide me with a poem to brighten up the occasion or perhaps we could sing the 'Going all the way' jingle.

*The Hon. M.D. Rann interjecting:*

**The Hon. S.J. BAKER:** That's it. By the time we have finished, they will be able to sing the song. I will be more than pleased if that is the outcome, because we will have adopted a very positive approach to the future of this State. With the assistance of the clerks of the House and other members of the staff we have carried on the business of the Parliament particularly well. On only one or two occasions have we missed on the appropriate procedure. Given the amount of legislation we deal with, the pressures of the budgets and the change in the sittings of the Parliament, they are minor deficits on a very positive balance sheet with regard to the operations of this House.

Many other people make this Parliament possible, and they continue to serve the needs of members well in the carrying out of their parliamentary duties. They range from the office, cleaning and library staff to those who prepare meals and provide refreshments for the Parliament. All those people invariably make this Parliament tick and make it a human place in which to operate. Due to their support, this Parliament is one of the better run Parliaments. On behalf of the Government, I offer those people my sincere thanks for another great effort. They will be relieved that, with any luck,

tonight will mark the end of the session, and they will be able to breathe a sigh of relief—except for those involved in committee work—over the next two or so months.

It was an experiment to break up the year into three separate sittings, and I am pleased with the outcome. It has worked well. I will not reflect on what I felt the outcomes would be. We are sitting no longer than we did but we have broken up the year more, and that has enhanced the operation of the Parliament. In the next session of Parliament I would like to see addressed a number of matters relating to Standing Orders, and they will be brought forward at the appropriate time. I thank everybody, including the police, who keep us secure and who make sure that the Parliament is not affected by outside influences other than those people who come and watch the Parliament in action; they have done another fine job. I thank everybody concerned for another fine effort. I wish all members a period of reflection and relaxation, and I am sure that we will see the Parliament resume in September with a renewed vigour and with a desire to improve the fortunes of this State.

**Mr CLARKE (Deputy Leader of the Opposition):** It is with some pleasure that I rise on behalf of the Opposition to extend our gratitude and thanks to those who work within the Parliament. As I said in December last year, when it was my task to speak on behalf of the Opposition at that time as a relatively new member of Parliament (and I still am), I am constantly amazed at the efficiencies of and good work done by all staff members of the Parliament in making this place tick—notwithstanding ourselves—and for seeing that the legislation is dealt with and that our needs are catered for. I will mention particular staff members but, on behalf of the Opposition, my thanks are extended to all staff of the Parliament and, if I inadvertently overlook anyone, it is a pure oversight, and I apologise in advance.

I wish to thank the food and beverage staff; the attendants; the caretakers and cleaners; the telephonists; the clerks of the House; the administrative staff of the Parliament; the police, who protect us from our constituents; Parliamentary Counsel, who have a hell of a job trying to work out what legislators intend to mean when they draft the laws; the staff of the library, whom I find extremely efficient; and *Hansard*. Whenever I read the Deputy Premier's contributions in *Hansard* the following day, I am amazed at how the *Hansard* staff have turned a sow's ear into a silk purse: it is beyond me, but they deserve full credit. I realise that they have no such difficulty with speeches by me or other members of the Opposition.

*The Hon. G.A. Ingerson interjecting:*

**Mr CLARKE:** And, of course, the Minister for Industrial Affairs. South Australia is far too small a stage for him, and I recommend he go to Bosnia because of his adept handling of the Australian Democrats. He deserves Bosnia.

I would also like to thank the Acting Speakers of the House. The member for Florey does an outstanding job as the Acting Speaker: he is very firm and fair in his rulings. I want to commend the Deputy Speaker for his work as Chairman of Committees. If one calculated the number of hours that the Deputy Speaker has spent both in your Chair, Mr Speaker, and as the Chairman of Committees, one would find that they would add up quite considerably. He handles his task with a great deal of flair and aplomb. He knows how to read the mood of the House, and we, as the Opposition, thank him for that. I speak with absolute sincerity on behalf of the Opposition with respect to the Deputy Speaker.

Dealing with you, Mr Speaker, there is a lot I could say, but I am hanging on—11 days. One more transgression and it is 11 days, and I am not entirely sure whether or not the end of the session clears me with respect to the start of the new session. So, Mr Speaker, whilst I have a lot to say about you, I will confine my comments to just a few paragraphs. Because I am a masochist, in a perverse way I thank you; I thank you for your jollity, if not your rulings. You do have a difficult job at times in trying to control an unruly House. When the Premier, Deputy Premier and the Minister for Industrial Affairs constantly interject during questions by the Opposition, you have a difficult job in restraining them and putting a gag where appropriately it should be applied.

Whilst you have been very swift in acknowledging my role in and contribution to the House, Sir, I certainly bear no ill will, particularly as I intend to finish tonight without any further black marks against my name, if only to avoid being reproached by my wife and daughter.

I conclude by wishing everyone a well earned break. In saying it is a well earned break, I point out that it is not as though we are going away on holidays, as we have plenty of work to do. Those of us in Opposition constantly will be testing and searching, looking for sources and the like, so that we can trip up the Ministers when we return, because our object in life is to replace you lot on the other side as quickly as possible. We intend to get our bottoms onto the seats of white cars in the shortest possible time. So, we will be working diligently, as I know members on the other side will be working extremely diligently in trying to do the impossible and hang onto their marginal seats.

To those Ministers who will no longer be on the front bench after this break, I wish them well on the backbench. They will be called into the Premier's office and be given a big 'thank you' as was given to Mr Schilling. However, we will enjoy their company when they come back. We thank all members of the Government, because we do have some rigorous debates in this place and that is what politics is all about. I note also the number of friendships we have outside this Chamber. However, we do not forget our tasks inside this Chamber and we do our work as best we can, but we do not carry any ill will or anger outside this Chamber, and that is as it should be. With those closing remarks, on behalf of the Opposition I thank all staff of the Parliament and members on the other side. I wish them well and hope that they will be refreshed when we rejoin the fray in September.

**Mr LEWIS (Ridley):** As is any honourable member's right in this instance when we hypothetically adjourn to a date on which we will be unlikely to sit in this Chamber, I would like to add my support to the remarks already made in this debate. The telephonists have had to operate in extremely cramped quarters which were never designed for that purpose—and I am not quite sure what occupational health and safety regulations would say about the accommodation they occupy at present. I am grateful to them for the work they do on our behalf. Also, the police have had to face some particularly difficult incidents, some of which I have known about. Parliamentary Counsel have provided the kind of service for which I have been grateful—

*Members interjecting:*

**Mr LEWIS:**—and my Deputy Premier, of course, has always been willing to give me the same kind of counsel. Parliamentary counsel have been long suffering in responding to the inquiries I make about the options available for the forms of legislation that can be used other than the forms

used for expressing what we desire in the way of changes to the law.

I want to pay particular tribute to the work that *Hansard* has done, because this Parliament's *Hansard* staff have accomplished what no other Parliament in this country has been able to accomplish in the introduction of new technology. The costs here have been about a tenth of the costs experienced in most other Parliaments in introducing the new systems by which the proceedings in our Chambers and committees are reported, and that is because they have been willing to cooperate; they have been willing to talk to us about the difficulties in the process, and progress has been made at a steady rate which enables people to keep abreast of the change. The new technology has required the *Hansard* staff to extend their skills significantly in fulfilling their role that is so important in a democratic society.

The library is about to go through another change, and the results of the research done by the member for Price, the Opposition Whip, and me during this session will be made available to members in the break or early next session so that they will know what is the collective opinion about the role and function of the library. Both during and after the break, the library will be dislocated and, on behalf of members, I say to the people who work there, 'Thanks for what you have done to date', and to members I say, 'Thanks for what you are going to have to put up with during the library's refurbishment.' We all understand the difficulties under which staff in the library will be working in the immediate future.

Our table officers have served us well, as have the House attendants, whose task is particularly harrowing at times. Likewise, the caretakers have kept mischief makers away from the doors and out of the building. It is not a public toilet between here and Old Parliament House, and it has been pretty hard hoeing—or should I say 'hosing'—for the caretakers to keep the place in a respectable state. I find what has been happening in that area appalling.

The last thing I want to say is that, unless we again take up that program of control of those ruddy feral pigeons, we will again find this building besmirched by their dung and other offal. It is not good enough—

*Members interjecting:*

**Mr LEWIS:** I do not care how much people like pigeons making love: they have to go—they are the absolute anathema of Parliament. It is not what Parliament is about; it is not meant to be a place in which pigeons breed.

*Mr Atkinson interjecting:*

**Mr LEWIS:** You speak for yourself, brother—I am getting married on Saturday. I have no illusions whatsoever about my capacity for procreation. It is the pigeons we all should be concerned about. They are breeding up in numbers again and we have to get rid of them. Mr Speaker, I leave it to you to exercise your discretion to protect the Parliament and to get rid of them. They are feral; they do not belong here. We have conducted a sensible program before and it saves historic heritage buildings from defilement and damage. Action must again be taken in this regard; there is no way around it, and the sooner we get on with it, the better.

*Members interjecting:*

**Mr LEWIS:** I am talking about controlling the pigeons.

*Members interjecting:*

**Mr LEWIS:** No, we do not have condom vending machines in the toilets and I am not going to introduce them.

*Mr Brokenshire interjecting:*

**Mr LEWIS:** Sticky glue might work, but the pigeons could get confused with the people. Thank you, Mr Speaker.

**The SPEAKER:** I thank all members for the kind words they have expressed in relation to the excellent services the staff of this building provide to all members, and I know that they appreciate the comments. Some of them have had to labour under difficult circumstances with the relocation of accommodation involved in the upgrading, but I am sure that we will all benefit when the refurbishment is completed. In relation to the member for Ridley, I am not sure what I am supposed to do about the pigeons.

**An honourable member:** Shoot them.

**The SPEAKER:** I would be grateful to the member for Ridley if he could provide a workable solution to getting rid of them. I am sure that all members would like me to wish the member for Ridley well in his new endeavours next weekend.

I thank the Deputy Premier for his kind words and his cooperation and that of all members of the House. I also thank the Deputy Leader of the Opposition for his comments. He has been one of the colourful members during this session of Parliament and, aided and abetted by one or two others, he has made my job a particularly interesting one. However, that is part of the cut and thrust of parliamentary debate. I acknowledge that, again this last session, I have given him some publicity, although I am sure that he is looking forward to the new session, as I and all members are. I thank everyone for their cooperation and look forward to our return for the next parliamentary session. I sincerely hope that everyone has a good break and returns refreshed.

Motion carried.

#### FRENCH NUCLEAR TESTS

Adjourned debate on motion of Mr Cummins:

That this House urges the Federal Government to—

(a) request the General Assembly of the United Nations to get an advisory opinion from the International Court of Justice that the proposed French nuclear tests are contrary to International Law;

(b) request Members of the European Parliament to support a motion condemning the proposed tests and resolve that the European Parliament request the tests not go ahead;

(c) request French Nationals in the Pacific Region and in Tahiti to bring an action against the tests in the European Court of Human Rights and undertake to support such an action morally and financially.

(Continued from 6 July. Page 2757.)

Motion carried.

#### ADELAIDE CITY SOCCER CLUB

Adjourned debate on motion of Mrs Hall:

That this House congratulates Adelaide City Soccer Club on an outstanding 1994-95 season in the National Soccer League and pays tribute to the magnificent record of their coach of more than a decade, Zoran Matic, and the achievement of Sergio Melta, National Soccer League record holder of 445 games, and applauds their outstanding contribution to the success of soccer and its following in this State.

(Continued from 1 June. Page 2475.)

Motion carried.

#### WINE INDUSTRY

Adjourned debate on motion of Mr Brokenshire:

That this House condemns the minority recommendations of the Chair Mr Bill Scales as set out in the Interim Report into the Wine and Grape Industry and urges the Federal Government not to adopt those recommendations which would have a devastating effect on jobs growth and economic development in South Australia.

(Continued from 6 April. Page 2215.)

Motion carried.

#### SOUTH AUSTRALIAN PORTS CORPORATION

Adjourned debate on motion of Mr Brokenshire:

That this House congratulates the Government and the South Australian Ports Corporation for the positive growth and development of cargo services and in particular the 24% increase in trade volumes in recent months and the expected record trade volumes in 1995:

which Mr De Laine had moved to amend by leaving out all words after 'That this House congratulates the' and inserting the following: 'previous Labor Government, the then Department of Marine and Harbors and the maritime unions for the positive growth and development of cargo services and in particular the 24% increase in trade volumes in recent months and the expected record trade volumes in 1995'.

(Continued from 23 March. Page 2128.)

Amendment negated; motion carried.

#### ADELAIDE OVAL

Adjourned debate on motion of Mr Condous:

That this House expresses its support for the playing of AFL matches at Adelaide Oval from the beginning of 1996 and calls on the SANFL to address the strong support of a vast majority of South Australians for AFL football to be played at Adelaide Oval.

(Continued from 16 March. Page 1988.)

Motion carried.

#### ADELAIDE AIRPORT

Adjourned debate on motion of Mr Lewis:

That this House commends the Government and particularly the Minister for Transport, the Minister for Tourism and the Minister for Industry, Manufacturing, Small Business and Regional Development for the steps they have taken to publicly press the Federal Government to increase the amount of money available to the Federal Airports Corporation to extend the operational facilities at Adelaide Airport to accommodate a greater number of interstate and international flights forthwith and calls on the Federal Government to take immediate action to rectify the situation without further cost to or discrimination against South Australians.

(Continued from 1 December. Page 1370.)

Motion carried.

#### INTEREST RATES

Adjourned debate on motion of Mrs Rosenberg:

That this House condemns the Federal Government's move to raise official interest rates and in particular for the deleterious effect this will have on economic growth.

(Continued from 1 December. Page 1370.)

Motion carried.

#### TEACHERS INSTITUTE

Adjourned debate on motion of Mr Ashenden:

That this House condemns the South Australian Institute of Teachers for inciting and causing the walkout of students and for removing vital curriculum areas at Golden Grove High School on Wednesday 26 October 1994.

(Continued from 3 November. Page 961.)



Motion carried.

### WOMEN, POWER AND POLITICS CONFERENCE

Adjourned debate on motion of Ms Greig:

That this House congratulates the Women's Suffrage Centenary Steering Committee and, in particular, its subcommittee on staging the Women, Power and Politics Conference held in Adelaide from 8 to 11 October; recognises the value to South Australia of the national and international media coverage of the conference; and acknowledges the importance of the issues raised at the conference, in particular, the need to ensure that women are provided with the opportunity to participate fully and equally in all spheres of society.

(Continued from 20 October. Page 749.)

Motion carried.

### ELECTORAL BOUNDARIES

Adjourned debate on motion of Mr Atkinson:

That this House advise the Electoral Districts Boundaries Commission that its policy for naming State districts should give priority to city, town and district names ahead of the names of deceased South Australians.

(Continued from 13 October. Page 619.)

Motion negatived.

*[Sitting suspended from 6 to 10.50 p.m.]*

### DEVELOPMENT (REVIEW) AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 1, lines 21 to 24 and Page 2, lines 1 to 18 (clause 4)—Leave out the clause.

No. 2. Page 3, lines 1 to 10 (clause 7)—Leave out the clause.

No. 3. Page 3, lines 11 to 24 (clause 8)—Leave out the clause.

No. 4. Page 3, lines 25 to 38 and Page 4, lines 1 to 20 (clause 9)—Leave out the clause.

No. 5. Page 4, lines 23 to 35 (clause 10)—Leave out paragraph (a).

No. 6. Page 5, lines 13 to 15 (clause 11)—Leave out all words in these lines after 'section' in line 13 and insert 'to which the Minister is a party may'.

Consideration in Committee.

**The Hon. J.K.G. OSWALD:** I move:

That the Legislative Council's amendments be agreed to.

The Bill, as returned to the House of Assembly, whilst partially agreed to—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! The member for Mitchell. The conversation is audible from the backbenches. If members could give the Minister a chance and allow progress of the Committee.

**The Hon. J.K.G. OSWALD:** There are a couple of glaring omissions that I believe should be placed on the public record. They demonstrate that the Opposition in this place is still anti-development. It is still not prepared to give the private sector certainty and, indeed, two clauses in the legislation would have given the Opposition a classic chance of coming out and saying to the development industry, 'We want to give you certainty, we want to allow you to put up risk capital and come forward with ideas, knowing well in advance that those ideas would be picked up.'

One of the classic examples was our attempt to try to raise to EIS standard a major project that did not have anything but economic significance. The classic example I put to the

House was the Westpac development. Westpac came to us with a proposal for a massive development in South Australia which had significant employment prospects and economic significance. There was no way that anyone could have argued that that had environmental significance to it whatsoever. We need a system on our statute books whereby, if we are approached by the Westpacs of this world and asked to give an assurance that a project will get up and that it does not have any environmental significance to it, in fact it will get through.

I inserted an amendment into the legislation in another place whereby the members there could agree to shift sideways the application out to the EPA to have an assessment done that would declare that it had no environmental significance about it whatsoever and that report would be tabled in the Parliament so members could see the report and there would be an assurance that the report was genuine and had covered all the aspects. On that basis as a Parliament we could have given the Minister of the day, through the Development Act, the power to go to that developer and say, 'Go ahead with your project, bring it on because it will get lifted to the level of a major project and will get the same status as an EIS.' It could then be brought in and dealt with by the Governor and given certainty; but the Opposition chose to reject it.

I am sure that, as time goes on, we will continue to be approached by developers who have a project which, in the interests of the State, we need to lift to the status of an EIS. It will not have environmental and social significance, but it will have straight economic significance. All we asked of members opposite was a demonstration that they were sincere and genuine about trying to bring development into this State by agreeing to that type of project, but they rejected it out of hand. They rejected the whole of the Bill in this Chamber. They did not even let the Bill go to the Committee stage where we could have examined it clause by clause and come to some understanding of what we are about as far as bringing a major project up to an EIS status is concerned.

The Bill contains a further clause which gives the Government or the Minister call-in powers for a project which was foundering at local government level, a project which the Government of the day considered to be of State significance. We gave members opposite the opportunity to give the Government—

**The CHAIRMAN:** Order! Members will please resume their seats. The conversation is most distracting for the Minister.

**The Hon. J.K.G. OSWALD:** The Opposition had an opportunity to allow the Government to call in a project of major State significance to the Development Assessment Commission to enable the commission to assess it—not the Government but the commission. Local residents would still have had the same right to give evidence, the same right that would have existed if the council had been the development authority, yet the Opposition, once again, chose to reject that out of hand. Members opposite had two opportunities to give developers a clear message that, if they put up a major project of significance to the State, they would have certainty. The Opposition was the prime mover behind the original Development Act 1993. The discussions that I had with the Minister of the day prior to the passing of that legislation led me to believe that at last the Labor Party was starting to become aware of the need to give certainty to development, but the exhibition that we have seen regarding this measure shows the Opposition's total disregard for the need of this State to

grasp a development opportunity when it exists, to lift it up to a major project, to get it through and to give it certainty. The Government is disappointed that those two clauses were not approved.

During the recess I would like to be able to sit down on a bipartisan basis with the Opposition and the Democrats to work through the EIS process all over again, but I think that would be a very futile exercise because, when you give the Opposition an opportunity to demonstrate that it would like to give certainty to development, it rejects it out of hand. Some clauses in the Bill will improve the Development Act, and the Government appreciates that those clauses are now included in the legislation, but we will revisit this whole question of development approvals to give the development industry more certainty. I hope that the next time we bring the legislation back to help developers and give them certainty it receives a far more sympathetic hearing from the Opposition and the Democrats than has this legislation today.

**Ms HURLEY:** We are happy with the Bill as it has come from the other place, because it has taken out of the original Bill those aspects that gave ministerial discretion to the development process and, therefore, in our view added uncertainty to the development process. The current Bill, the *status quo*, allows developers sufficient certainty in their plans. Over the past few months, we have noted how this Government has managed, without too much trouble under the existing legislation, to force through a couple of projects that it has been keen on, for example Wirrina and the Woolworths development along Main North Road. Given the response to a question I asked, it appears that only three EIS statements are required by the Minister, and they are on schedule. No project was said to have failed because of the EIS process. We were not convinced that there was any need to insert these amendments. Basically, it boils down to the fact that the Opposition, the people in the conservation movement and a number of members of the community simply do not trust this Government with this State's environment and are not prepared to give ministerial discretion to a Minister who will just lie down and allow unfettered development.

Motion carried.

#### **ROAD TRAFFIC (SMALL-WHEELED VEHICLES) AMENDMENT BILL**

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

#### **APPROPRIATION BILL 1995**

Returned from the Legislative Council without amendment.

#### **MEAT HYGIENE (DEFINITION OF MEAT AND WHOLESOME) AMENDMENT BILL**

Returned from the Legislative Council without amendment.

#### **WORKERS REHABILITATION AND COMPENSATION (MISCELLANEOUS) AMENDMENT BILL**

Returned from the Legislative Council with the following amendment:

Page 2, line 33 (clause 5)—After 'medical expenses' insert 'of the kind referred to in section 32'.

Consideration in Committee.

**The Hon. G.A. INGERSON:** I move:

That the Legislative Council's amendment be agreed to.

**Mr CLARKE:** Despite the fact that many of my colleagues behind me want me to speak on this issue, I will contain myself to just a few words. I would like to indicate that the Opposition is in favour of this amendment. It is a technical interpretation which only the Minister and I fully understand. I appreciate the fact that the Minister and I have to carry the rest of the Parliament, but we have an agreement on this matter. The Minister has given some assurance that the matter of 65 years of age applying to both men and women will be treated sympathetically in the September session of Parliament.

*An honourable member interjecting:*

**Mr CLARKE:** If the member for MacKillop, when he finds his electorate, will stop interrupting and provoking me on this matter I will finish at a relatively early time. I support the amendment put forward by the Minister and I will conclude on that, other than to again exhort him to apply for the position within the United Nations so that he can apply his talents to Bosnia, the Sudan, Egypt and the Gaza Strip.

Motion carried.

#### **RACING (TAB BOARD) AMENDMENT BILL**

Returned from the Legislative Council without amendment.

#### **SOUTH AUSTRALIAN HEALTH SERVICES BILL**

**The Hon. M.H. ARMITAGE (Minister for Health):** I have to report that the managers for the two Houses conferred together on the Bill but that no agreement was reached.

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

That Standing Orders be so far suspended as to allow the Minister and the member for Elizabeth to explain the outcome of the conference.

Motion carried.

**The Hon. M.H. ARMITAGE:** I am very sad to have had to report that the conference of managers was unable to come to an agreed position. I am sad because the Health Services Bill, as it left this Chamber and as it left the Legislative Council with the amendments that were moved in relation to it, was a good Bill. There were many advantages in it, and that was acknowledged by many people around South Australia and indeed I think by most people actually in the conference. I have to say that many concessions were made by the House of Assembly. In particular, as people would recognise, one of the bones of contention between the two Chambers and, indeed, between the two Parties in the Lower House is the availability or otherwise of the private sector to provide health services in the public area.

As became evident as I sought information about the record of the previous Government in this area, there are hundreds of contracts where the private sector has provided public services in the health area. We believe that it is completely appropriate that the same sorts of contracts ought to have been available to private sector contractors as was extant over the past 10 years.

*An honourable member interjecting:*

**The Hon. M.H. ARMITAGE:** Indeed, as the member for Newland says, many of the private tenders which we now

have brought into agreement were in fact set up by the Labor Party. However, the difficulty is that, despite all of the concessions being made by the Government, unfortunately the Labor Party would not agree and the *denouement* of the conference occurred when we made yet another concession and the Labor Party members went away, returned and said that they would not agree with yet another concession that we had made. I put the types of concessions that we were making into perspective by referring to a couple of paragraphs from a letter written by Mr Geoff Sam, the Chief Executive Officer of Ashford Hospital, which as everyone would realise is one of the most progressive private not for profit hospitals in South Australia. In relation to the Opposition's proposed amendments to clause 43a(1) Mr Sam said:

I believe that it is entirely appropriate that a private contractor who has entered an agreement with a board of an incorporated service unit to manage a whole or part of that undertaking should formally report on their operations on an annual basis—

which was exactly what we were expecting—

One would expect that the conditions of the contract would, in fact, require the operator to provide appropriate management reports to the board on a monthly basis. Such reports would include information relating to utilisation, productivity and quality indicators.

These were exactly the sorts of things that we were attempting to agree with the Upper House in essence, the Labor Party in practicality, but that agreement was not reached. Mr Sam continues:

I have some major reservations in respect to the private contractor being required to provide a report which specifically details income and expenditure in relation to these operations and the contractor's assets and liabilities as at the end of the financial year. All companies have duties and responsibilities under the Companies Act in respect to reporting, which includes appropriate audited accounts. Given that the contractor has been successful on the basis of the negotiated end-price of services to the health unit, my view is that the board and Minister should concern themselves with ensuring that the contractor meets the terms of their agreement in respect to productivity and quality, rather than concerning themselves with the financials of the contracted organisation.

I believe that there are sufficient legislative provisions in the Companies Act to ensure appropriate business ethics by the company without resorting to these additional legislative provisions in the Health Services Bill. The dangers of including these financial disclosure requirements relate to the disintegration of competitive advantages between competing management contractors and the disincentives for these organisations to register an interest in providing such services under these conditions. For example, if Ashford was successful in negotiating a management contract I would not want my competitors to become aware of the details. Nor indeed should it be the subject of a potential slanging match in the Parliament—

*The Hon. S.J. Baker interjecting:*

**The Hon. M.H. ARMITAGE:** As the Deputy Premier says, that is what the Opposition wanted. Mr Sam continues:

... where Ashford has no redress. If Ashford achieves the objectives and conditions set by the contract with the incorporated health unit, if Ashford achieves quality outcomes with a high satisfaction in the community and it still earns a good return on its investment, I do not believe that it is appropriate, or fair, for that bottom-line figure to then be the subject of a parliamentary debate.

I know that everyone is fascinated by Mr Sam's letter, but I do ask all members to listen to this last sentence:

Ironically in our case, because we are a not for profit organisation, the more surplus we generate the more we can re-invest in improving the services that are offered by the health unit under our management.

He did forward these comments to the member for Elizabeth and to the Democrats. This is one of the best private not for profit hospitals in South Australia saying, 'We don't want to be involved in those sorts of deals because we can't be

expected to hang our competitive advantage on the line for it to dry so all of our competitors can see it, and therefore we will not be able to continually reinvest money into the better services and better health provisions.' It is quite stupid for the Labor Party to expect those sorts of things, and it is particularly stupid when everybody knows it works. The ALP in Queensland, we recognise, is going down this line and in fact—

*Mr Foley interjecting:*

**The Hon. M.H. ARMITAGE:** Yes, exactly: it won the election—maybe it should not have. More importantly, we were quite specific about expecting that there would be increased private sector involvement in the provision of health services. That was in our policy. In case the Labor Party has not caught up with it, I point out that a small number of its members sit over there and we surround them, and that is because the people of South Australia actually thought that our policy was a good one. We wanted to provide better services to South Australians and to South Australian families. The intransigence of the ALP would have jeopardised this. As the Minister for Health, I simply could not allow that to happen, and so I did not. Unfortunately, the baby has been thrown out with the bath water.

This is a good Bill and it should never have got to this stage but, because of blinkered, ideological thinking, the potential advantages to South Australia have been jeopardised and sacrificed. With absolutely no business acumen in the Labor Party, what more could we expect? I am happy to say—and I know that you, Mr Speaker, and most members in this Chamber will be delighted to hear this—that at least there is a positive in not progressing with the Bill, in that the doctrine of the separation of powers is intact.

**Mr Atkinson:** Hear, hear!

**The Hon. M.H. ARMITAGE:** Absolutely! It is a pity that the member for Spence was not on the conference so that he could have talked some sense into the Labor Party. Nevertheless, the doctrine of the separation of powers is intact, and I am delighted to mention that. What I find most extraordinary is that this Bill sought to bring to a conclusion about five years of work and discussion about the better management of health services.

*Members interjecting:*

**The Hon. M.H. ARMITAGE:** The member for Spence asked me to explain the separation of powers. He and I have actually had this argument about Parliament, the Judiciary and the Executive on a number of occasions, but what was absolutely fascinating was that, when we started talking about the doctrine of the separation of powers, one of the managers from the Upper House, who belongs to a minor Party, said, 'I don't understand. Tell me what you mean about the separation of powers.'

*Members interjecting:*

**The SPEAKER:** Order! The Minister has the floor.

**The Hon. M.H. ARMITAGE:** Thank you, Mr Speaker. As I was saying, what is extraordinarily sad about this Bill not progressing is that it is not really a radical Bill. It brought to a conclusion five years of work in relation to better management of the health system. This Government has been in power for only 18 months. What happened in the other three and a half years leading up to the 18 months that we have been in Government? The Labor Party, then in Government, brought in a dark green paper in relation to better health administration. Then it brought in a light green paper on better health administration. Then it formed a select committee, of which the member for Spence and I were members.

The Labor Party was unable to bring this matter to conclusion when it was in government and, now that it is in Opposition, it has put the kybosh on it again. They could not do it in government, and now they are the spoilers of everything it tried to do over three and a half years prior to the last election.

*Members interjecting:*

**The Hon. M.H. ARMITAGE:** As the Treasurer said, they have spoiled this Bill just as they have spoiled this State. They have destroyed this State's economy and now they are destroying again the option of better health management, which is exactly what they were trying to do. I would love to be a fly on the wall when the former member for Elizabeth and Minister for Health speaks to the present member for Elizabeth about what the Labor Party has done because, in his innermost thoughts, the then Minister for Health was right behind the sort of things which we, unfortunately, have been forced to jettison.

What is extraordinary is that, if members of the Opposition go through their second reading speeches, I am sure they will find (I will have to check this) that every single one of them recognised that reform of the system is necessary. What have they done? They have jettisoned the whole opportunity.

In Nottingham in 1811 there were a number of English handicraftsmen who unfortunately went around resisting the progression of machinery into the textile industry. They rioted and caused the destruction of the machinery and attempted to sabotage the textile industry, and that was because the textile machinery was displacing them. The leader of those textile handicraftsmen was a mythical figure named Ned Ludd, or Captain Ludd, and he gave his name—

**Mr Atkinson:** Top bloke!

**The Hon. M.H. ARMITAGE:** The member for Spence says that he's a top bloke. Does not that indicate the attitude of the ALP to progress in South Australia? Does not that explain why the State is in the situation it is in? The ALP has pulled the rug from underneath every bit of progress which has been possible. Here we have the member for Spence saying that is it wonderful that Captain Ludd, with his band of merry men, masked in the night was going around burning the machinery. It was an appalling attitude that was extant then and it is just as appalling that it is extant now. Thank God that only 11 of them have that attitude in this Parliament.

Unfortunately, just like the Luddite gangs that were operative in 1811, we have a Luddite gang operative tonight. This Bill had great potential to improve health services to South Australians. It was opportunity to allow better value for the taxpayer dollar and allow us to look to the year 2000 and beyond—but, no, the ALP has sacrificed all of that and that is very sad.

*Mr Clarke interjecting:*

**The SPEAKER:** Order! When the Deputy Leader of the Opposition is finished making his speech I will call on the member for Elizabeth. The honourable member for Elizabeth.

**Ms STEVENS (Elizabeth):** This Bill foundered because the Minister was unwilling to accept proper accountability for millions of dollars of public money—\$35 million at the Modbury Hospital. That process was shrouded in secrecy—a contract that no-one has seen and no-one can get access to. Three weeks ago the media, when doing its customary investigation of public hospitals, reported that it had approached the Modbury Hospital and that Healthscope had refused to speak to them. So we have a contract that we do not know anything about, a process shrouded in secrecy, and

the media cannot get in there. None of us know what is happening—and this is only the first one.

**Mr CLARKE:** I rise on a point of order, Sir. I cannot hear the member for Elizabeth because of the yahoos on the Government side.

**The SPEAKER:** Order! The Deputy Leader of the Opposition knows that that sort of comment is not only unwise and unnecessary but unparliamentary. The Chair has been tolerant and has allowed a fair degree of latitude. The Deputy Leader of the Opposition was the main offender interjecting across the Chamber when the Minister was speaking. I suggest to the Deputy Leader and to all members, as we are drawing to the conclusion of the sitting, that it is still not too late for the 11 day rule to apply. The Chair has been very tolerant. I suggest that everyone take a deep breath and allow the member for Elizabeth to make her speech. The honourable member for Elizabeth.

**Ms STEVENS:** Modbury Hospital is only the first one. We all know that the Chief Executive Officer of the Health Commission announced at the beginning of April, 'We are no longer in the business of running health units. We will be contract managers, and over the next two to three years progressively every health unit in our system will be tendered out.' Not only are we looking at a \$35 million Modbury Hospital contract, we are looking at up to \$1 billion in the worth of contracts across our State being shrouded in secrecy—no-one sees them, there is no access by the media, nothing! This is what we objected to. I also put on the record the other side of the story, which the Minister omitted in his speech. The Opposition had already made a large number of concessions to the Minister. We were considering 73 clauses of this Bill in that conference. We had even made considerable concessions to the particular amendment that the Minister—

*Members interjecting:*

**The Hon. M.D. RANN:** On a point of order, Mr Speaker, I think your protection is necessary because of the consistent interjections of various unruly Ministers.

**The SPEAKER:** Order! The member for Elizabeth has the call. I suggest that members on my right listen to the contribution. If they want to participate, I am sure arrangements can be made for that. However, the member for Elizabeth has the call at this stage.

**Ms STEVENS:** We had even made considerable concessions on the clause on which the Minister spat the dummy. The Opposition had many other points—

*Members interjecting:*

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

**Ms STEVENS:** The Opposition had many other points that it was prepared to discuss, raise and continue with the Minister, but the Minister pulled the plug.

*Members interjecting:*

**The SPEAKER:** Order! I suggest that the Deputy Leader of the Opposition is not a traffic policeman.

**Ms STEVENS:** The Minister says that he had a mandate to do a large number of things which we had transgressed. The Minister also said flippantly at the end of the session that he could do it all anyway and that he did not need the Bill. That is a typical sort of statement and delivery by this Minister for Health.

I want to talk about the Bill, which the Minister said was such a wonderful piece of legislation. I want to give some feedback from the health sector *en masse* about this wonderful piece of legislation that this Minister has now finally been unable to deliver, through his own intransigence.

*Members interjecting:*

**Ms STEVENS:** No, not Gail Gago: just try most of the CEOs of the hospitals around the State for a start.

*Members interjecting:*

**The SPEAKER:** Order!

**Ms STEVENS:** This Bill was brought down initially in April. We had to debate it 10 days after it had been brought down.

**Mr BECKER:** On a point of order, Sir, I understand that we are discussing the report of the conference and not the legislation or the history of it. I always assumed that those who are appointed managers of the conference support the House they represent and not play politics with the conference.

**The SPEAKER:** Order! The Chair gave the Minister for Health a considerable amount of latitude and the Chair will allow the member for Elizabeth the same latitude. I believe that that does not allow her to revisit the whole of the Bill, but I suggest that she temper her remarks because, if the Chair is to be cooperative, the Chair also requires the cooperation of the member for Elizabeth.

**Ms STEVENS:** I want to speak a little bit about the Bill, because the Minister remarked on how good the Bill is, and I need to make a point about that. Unfortunately, the Minister's view of how good the legislation is is not shared by a huge number of people in the community and certainly not in the health sector. People say that it is the worst piece of legislation—

*Members interjecting:*

**Ms STEVENS:** Ask the people who run the health units in your electorates. They say that this is the worst piece of legislation they have seen—that it is shoddy and scrappy. As we know, the Minister had to make significant amendments after the Bill went through this House. So let us not be taken in by the Minister when he speaks about this wonderful piece of legislation.

I will refer again to some of the things that this Minister has done in relation to private sector involvement. He also had a contestability policy, which we know was not followed in terms of Modbury Hospital, but again he says, 'That's okay; trust me, everything will be all right.'

**The Hon. S.J. BAKER:** Mr Speaker, my point of order is on relevance. Whilst the Minister actually stated the outcomes of the conference and their effect, the honourable member is now revisiting the whole debate virtually from the cradle to the grave. Standing Orders were suspended to allow two members of the House to inform the House of the outcome of the conference not of how everyone in the community feels. That was the specific rule that was set down.

*Mr Clarke interjecting:*

**The SPEAKER:** Order! I suggest to the Deputy Leader that perhaps he should go out and get a cup of coffee. The Standing Orders have been suspended to enable the member for Elizabeth to respond and comment on the conference. The Minister for Health was given considerable latitude, but he was not permitted to talk about every clause in the Bill. His comments related to the conference and certain attitudes displayed by certain members at the conference. The member for Elizabeth may have a certain amount of latitude, but I suggest that she not revisit the whole of the Bill otherwise the Chair will have to rule, and the Chair is attempting to be particularly cooperative. The member for Elizabeth.

**Ms STEVENS:** Finally, I would like to say—

*Mrs Kotz interjecting:*

**Ms STEVENS:** I'll take my time. Finally, I would like to reiterate that the Opposition made quite clear during all its speeches in relation to this Bill that it is in favour of constructive reform of the health system. However, it is not in favour of a lack of accountability in the area of private sector involvement. These are the most significant changes ever seen in our health system. We will see, progressively, every health service unit outsourced to private companies over the next two to three years. That is not constructive reform of our health system, in our view, and the Minister in his usual way says, 'Fine, I can do what I like anyway.' Yes, Minister, you can proceed, because you have already regionalised, you have already outsourced, you have already done a whole range of things without this legislation, and no doubt you will continue. But one thing that I—

**Mr BECKER:** On a point of order, Mr Speaker, I refer to Standing Orders 226 and 227.

**The Hon. Frank Blevins:** Why you didn't you get up when the Minister was speaking?

*Members interjecting:*

**The SPEAKER:** Order! I ask members to be calm.

**Mr BECKER:** Standing Order 226, which specifically sets out the duties relating to a conference, provides that, when the conference is requested by the House of Assembly, the managers for the Assembly present to the managers for the Legislative Council any resolution adopted by the Assembly together with the Bill (when amendments to a Bill are the subject of the conference), and so on. I refer to Standing Order 227, under the heading 'Proceedings to be reported'.

*The Hon. Frank Blevins interjecting:*

**The SPEAKER:** Order!

**Mr BECKER:** The Standing Order provides:

When the conference is ended, the managers for the House of Assembly immediately report the result to the Assembly in writing.

We are not getting the total report.

**The SPEAKER:** Order! I suggest to the member for Peake that the Chair has heard the Standing Order that is normally applicable. In this case, the Standing Orders have been suspended to allow the member for Elizabeth to make a general statement but not to engage in a complete re-run of the previous debate. Therefore, I ask the member for Elizabeth to comply with the request of the Chair.

**Ms STEVENS:** As I was saying before I was interrupted again, in his usual way, the Minister for Health said that he did not need the legislation, anyway. However, what he needs to understand is that we on this side of the House believe that there are some fundamentals.

*Members interjecting:*

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

**Ms STEVENS:** Health is one of those, and accountability is one of those. We are saying, 'Let's learn the lessons from the past; let's be accountable.' We were not prepared to give way on this matter. If this is what members opposite do with the health system, heaven help us with the water contract.

## ADJOURNMENT

At 11.42 p.m. the House adjourned until Tuesday 22 August at 2 p.m.

## HOUSE OF ASSEMBLY

Tuesday 25 July 1995

### QUESTIONS ON NOTICE

#### RAILWAY STATIONS

233. **Mr ATKINSON:** What steps have been taken to encourage private sector commercial development of railway stations and interchanges for retail, office and residential purposes?

**The Hon. J.W. OLSEN:** The State Transport Authority and now TransAdelaide have actively sponsored and supported the private sector commercial development of its railway stations and interchanges for retail, office and residential purposes.

Examples include the Adelaide Railway Station and yard. This was developed for the Adelaide Casino, some 18 shops in the station building and underpass, the Hyatt Regency Hotel, the Adelaide Convention Centre, Riverside Centre and the Exhibition Building, as well as two public car parking stations.

Kiosks have been developed at Noarlunga Interchange and Gawler, Brighton, Blackwood and Alberton railway stations. Another kiosk is to be developed at Paradise Interchange for which planning approval is required. These kiosks provide the operators with a livelihood and increase amenity and security for TransAdelaide's commuters.

For many years any surplus land at railway stations and interchanges has been sold for residential or commercial development. Land that is set aside for future expansion is also leased for commercial ventures such as bottle and wood yards, landscape supplies, fuel depots and plant nurseries. Whenever possible land is sold for use, which when in place, leads to an increased patronage of TransAdelaide services. Medium density housing is seen as a good means of achieving this goal. The present level of income from such sales is \$3 million per financial year.

A joint planning study has recently been completed for Salisbury Interchange by TransAdelaide and the City of Salisbury. The aim of this study has been to highlight possible improvements to the interchange, commuter car parking and to identify commercial and residential use for any surplus council and TransAdelaide land. The City of Salisbury owns a significant parcel of land alongside the interchange which it wishes to develop, which is not only compatible with the interchange but will enhance the focus of the City's Centre.

There is generally a strong community resistance to the development and disposal of surplus metropolitan railway land, as residents often wrongly consider it to be open space or recreational land.

#### PREDICTIVE MODEL

241. **Mr ATKINSON:**

1. What are the details of the predictive model referred to at the bottom of the first column of page 166 of the Program Estimates, what is new about it and what conclusions can be drawn so far from use of the model?

2. How does the figure of 4 152 pages of transcript produced by the Courts Administration Authority (page 165, Program Estimates) tally with the claimed reduction of only 13 per cent (page 166, Program Estimates)?

**The Hon. S.J. BAKER:**

1. The predictive model referred to on page 166 of the Program Estimates is a mathematical model which has been developed to predict future requirements for judges in the Supreme Court and District Court.

The key factors in the predictive model are:

- (a) the volume of lodgments (initiating processes);
- (b) the proportion of matters that will go to trial;
- (c) the average duration of trials;
- (d) the efficient rate, i.e., the proportion of available judge-days that are actually used to hear trials;
- (e) the number of lengthy, complex cases in the trial list, and
- (f) the number of judge-days available per judge having regard to the out-of-court commitments in the various jurisdictions and leave entitlements.

The model is based, in part, on sampling carried out in each jurisdiction and in its current form will soon become outdated. It is proposed that the model will be linked directly to the Courts Administration Authority's operational computer systems, thus creating a 'live' system.

The predictive model is new in the sense that, as far as I am aware, it is the first time that such a systematic and objective approach has been used in Australia to estimate the requirements for judicial officers.

The model shows that the current establishment of judges in the Supreme Court and District Court is sufficient to deal with the volume of incoming work but may not facilitate any reduction in backlogs. However, it now appears that the incoming workload will be less than predicted and this may enable backlogs to be reduced to some extent.

The predictive model, because it is so new, is subject to continuing refinement.

2. The figures in the question are indirectly related but the question needs to be answered in two parts.

As to the 4 152 pages (referred to on page 165, Program Estimates):

This figure represents the number of pages produced by the Court Reporting Division during July, 1994 for courts, boards or tribunals such as Industrial Court/Commission, Commercial Tribunal, Licensing Court, Medical Board and other Government agencies. This was work considered to be non-core work for the Courts Administration Authority.

In 1993-94 the total number of pages produced by the Court Reporting Division for Government agencies, other than courts under the Courts Administration Authority, was 69 167 pages of transcript.

It was decided by the State Courts Administration Council during June, 1994 that the Court Reporting Division should cease to do any reporting work for Government agencies other than participating courts under the Courts Administration Act 1993. The affected Government agencies were given notice of this decision, but to allow them sufficient time to put other arrangements in place, a cut-off date of 1 August, 1994 was selected.

No further work outside Government agencies has been undertaken since the end of July, 1994.

As to the 'reduction of 13 per cent' (page 166, Program Estimates):

The figure of 13 per cent reduction in transcript production was an estimate of the reduced number of pages likely to be produced by the Court Reporting Division in 1994-95 when compared with the financial year 1993-94.

The total number of pages of transcript produced by the Court Reporting Division is indicated in a table on page 166 of the Program Estimates which demonstrates that in 1993-94 the Court Reporting Division produced 394 915 pages of transcript. This total included the 69 167 pages of transcript which were produced for other Government agencies.

In 1994-95 the estimated number of pages of transcript to be produced by the Court Reporting Division was 347 000 pages.

As explained in the same paragraph on page 166 of the Program Estimates, the Court Reporting Division staffing levels decreased by 20 per cent in July, 1994 to take into account a reduction in judicial strength and the transfer of the court reporting for other Government agencies to the private sector. It was expected that the total Court Reporting transcript production figures would similarly reduce by 20 per cent.

In fact, transcript production was estimated to reduce only by 13 per cent in 1994-95 when compared with the page production for 1993-94.

This estimate, therefore, demonstrates an increased activity for the Court Reporting Division when comparing an expected 20 per cent reduction (due to reporting work for other Government agencies being transferred to the private sector and the reduction in judicial strength) and the estimated 13 per cent reduction in transcript produced in 1994-95.

Now that the complete figures for the 1994-95 financial year are to hand, the actual number of pages of transcript produced by the Court Reporting Division was 337 738. This number of pages produced indicates a 14.48 per cent reduction for the 1994-95 year when compared with the total of 394 915 pages produced in 1993-94.

**CONSUMER AFFAIRS FUNDING****242. Mr ATKINSON:**

1. What funding has been allocated for consultations in the coming financial year with the Financial Counsellors Forum, the Consumer Affairs Advisory Forum and the Consumer Credit Education Consultative Committee?

2. What funding or staff have been allocated within the Office of Consumer and Business Affairs for consulting and training department staff and community workers in the uniform credit laws?

3. How much funding will the Consumers Association of SA receive for the year 1995-96 and why was the association's request for \$45 000 not granted?

**The Hon. S.J. BAKER:**

1. There has been no particular funding allocation provided for the 1995-96 financial year.

When I established the Legislative Review Team to review all consumer legislation in January 1994, the Commissioner for Consumer Affairs decided that all available resources would need to be utilised to complete this most extensive task in a timely fashion. However, it must be noted that the legislative review process has involved detailed consultations with a very wide range of industry and professional bodies and consumer organisations. In addition, the Commissioner and his staff have undertaken intensive consultations with key stakeholders on a wide range of matters relating to legislation and other policy matters. This is reflected in the mission statement of the Office of Consumer and Business Affairs which is to 'achieve fair trading in the market place in partnership with consumers and business'.

In addition, I chair a number of peak advisory groups which meet on a regular basis. These include the Real Estate Industry Regulation Review, the Retail Shop Leases Advisory Committee and regular meetings with other industry and professional groups such as representatives of the building industry—MBA, HIA and BISCA.

The Commissioner for Consumer Affairs also chairs a number of peak advisory groups including the Retirement Villages Advisory Committee and the Supermarket Scanning Code Administration Committee. Both these committees involve consumer representation. Now that the Commissioner for Consumer Affairs has assumed responsibility for the licensing of plumbers, gasfitters and electricians under the Plumbers, Gasfitters and Electricians Act, representatives of his office will be chairing two advisory panels provided for under this legislation.

In addition to all of the above, the Consumer Credit Education Consultative Committee was reconvened once during the last year to discuss the implementation of the Uniform Credit Code and to discuss educational training strategies.

Furthermore, the Consumers Association has continued to hold meetings of the Consumer Advisory Forum which is attended on a regular basis by senior officers of the Office of Consumer and Business Affairs.

Finally, the Office of Consumer and Business Affairs recently organised a training day in conjunction with the Australian Federation of Consumer Organisation representatives (AFCO) aimed at training financial counsellors on a number of aspects which will enhance their effectiveness as financial counsellors.

2. The Office of Consumer and Business Affairs, apart from being actively involved in the drafting of the new code, is also the administrative body. A number of staff within OCBA have been allocated and are currently involved in training internal staff and a comprehensive plan has been developed in relation to education and information programs and seminars designed to train external customers in relation to the provisions of the Uniform Credit Code.

The staff include members from both the Customer and Education Services Branch and the Consumer Services Branch, with training and oversight being the responsibility of the Legal Unit.

In addition, Commissioners for Consumer Affairs from all State and Territory jurisdictions met recently to discuss the development of a national strategy for credit training. It is envisaged that this will be integrated with local training arrangements.

3. In line with budgetary constraints, I have decided the Consumers Association of South Australia should receive funding to the extent of \$20 000 for the year 1995-96 which maintains the level of funding provided in 1994-95.

In addition, a number of suggestions has been made to CASA as to how they may approach education and information programs through joint ventures and projects with other organisations, including the Office of Consumer and Business Affairs. The organisation has also been provided with a surplus PC and printer from the Office of Consumer and Business Affairs which will improve the quality of their newsletter and other publications.

**FIREARMS**

**246. Mr ATKINSON:** Will the Government offer pensioners a discount on the charge for registering a firearm and, if not, will it grant a concession on registering a firearm that is kept as an heirloom and not used and, if not, why not?

**The Hon. W.A. MATTHEW:** The Government is currently reviewing the firearms legislation and is in the process of formulating legislative proposals. Matters such as registration fees paid by pensioners and fees for firearms kept by pensioners, for display or as heirlooms, are being considered by the review committee.

**UNDER TREASURER**

**247. Mr ATKINSON:** Is any of the Under Treasurer's salary linked to reductions in State debt or State borrowing?

**The Hon. S.J. BAKER:** Full details of the Under Treasurer's remuneration package were provided in my answer to an Estimates Committee Question on Notice in the House of Assembly on 14 September 1994.

Dr Boxall's total remuneration was increased to \$200 000 per annum on 7 March 1995 consistent with satisfactory performance during the first year of his contract. There are no provisions for any further performance related pay adjustments during the remaining four years of Dr Boxall's contract.

Dr Boxall and I entered into a performance agreement as a condition of his appointment. That agreement states that, subject to parameters set by the Government, the Under Treasurer will ensure that his department advises on, and assists in the implementation of, the Government's policy challenges, namely: economic growth, debt reduction, increased accountability, and improved service to the public. The performance indicators applying do not specifically refer to reductions in State debt or State borrowing, but rather relate to the efficiency and effectiveness of various aspects of his department's operations.