HOUSE OF ASSEMBLY

Tuesday 26 March 1996

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

VIVISECTION

A petition signed by 1 008 residents of South Australia requesting that the House urge the Government to ban the killing of animals for dissection in schools was presented by Mr Clarke.

Petition received.

PROPER BAY SCHOOL BUS

A petition signed by 43 residents of South Australia requesting that the House urge the Government to ensure a suitable service for students on the Proper Bay School bus route was presented by Mrs Penfold.

Petition received.

SCHOOL SERVICES OFFICERS

A petition signed by 106 residents of South Australia requesting that the House urge the Government to restore school services officers' hours to the level that existed when the Government assumed office was presented by Mr Rossi.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

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

Fair Trading Act—Regulations—Revocation—Health and Fitness Code.

Rules of Court—

Magistrates Court—Magistrates Court Act—Inclusion of Dog and Cat Management Act.

Supreme Court—Supreme Court Act—

Corporation Rules—Notification of Summons.

Criminal Appeal Rules—Various.

Taxation.

By the Treasurer (Hon. S.J. Baker)—

Friendly Society Act—Lifeplan Manchester Unity—General Laws.

By the Minister for Recreation, Sport and Racing (Hon. G.A. Ingerson)—

Racing Act—

Regulations—Declarations—Approved Events and Venues.

Rules of Racing—Greyhound Racing Board—DNA Testing.

By the Minister for Housing, Urban Development and Local Government Relations (Hon. E.S. Ashenden)—

Development Act—Amendment to Development Plan—City of Mitcham Historic (Conservation) Zone—Mitcham Village—Report.

Development Assessment Commission—Crown Development Report—Residential Care Facility—Regency Park.

ASER PROJECT AND CASINO

The Hon. S.J. BAKER (Deputy Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.J. BAKER: I wish to update the House on a number of developments involving the Adelaide Casino and, in a wider context, the Adelaide Station and Environs Redevelopment Project. It gives me no pleasure to have to inform the House of another financial timebomb left to this Government by the former Labor Government. This Government is now being forced to call in former Premier John Bannon's big bet on the future of property development and the casino industry. The price is very high. The story which is about to unfold is not a pretty picture. It is a tragedy of Government involvement in business and development which should never have happened. It is history now that it did happen. Unfortunately, we now have to pay the price. To gain even a basic understanding of what has occurred we need to go back to the early 1980s.

During the 1982 election campaign, the then Labor Opposition promised to redevelop the Adelaide Station and environs site, based on investigations of a number of proposals for use of this site which had been considered over a number of years. A briefing note prepared in 1983 for the Bannon Cabinet stated:

> Pak Poy initiated discussions with the Japanese construction giant Kumagai Gumi Co. Ltd which led to initial agreements being signed in June and July 1983 between Kumagai Gumi Co. Ltd and SASFIT (South Australian Superannuation Fund Investment Trust) to fund the project subject to certain major requirements. One was a Government guarantee for $65 million to facilitate Kumagai's own overseas fundraising activities; another was the need for an international hotel operation to become involved on terms acceptable to SASFIT and Kumagai Gumi Co. Ltd.

This is an early example of the deals being done by Government using the superannuation fund for public servants as a vehicle for political purposes. Negotiations continued to what culminated in the signing on 1 October 1983 of what became known as the Tokyo agreement, whereby Kumagai and SASFIT agreed jointly to develop the Adelaide Railway Station site, an agreement to which the then Premier (John Bannon) was signatory. The proposed development was for an international standard hotel containing approximately 400 rooms; a commercial office building containing approximately 22 000 square metres of lettable area; an international convention centre; and a car park, as well as retail and restaurant facilities and reinstatement of the railway station areas. Significantly, the agreement allowed for further developments as agreed and approved between the two parties to the point where some concessions would lapse if the joint venturers were successful in gaining the casino licence.

The Government's commitment at that early stage was significant in terms of guarantees. These included commitments to lease half the office building for a period of 10 years; guarantee incomes to the hotel if the casino was not built; lease the car park complex and convention centre for a period of 40 years, with the rental linked to the capitalised cost of these facilities; exempt stamp duty; provide land tax relief as well as peppercorn property rentals for the station site, and not insubstantial infrastructure cost relief. Significantly, the Tokyo agreement gave the joint venturers the first option over a lease of the Adelaide Railway Station building, which is now the home of the casino. Even at that time there were conflicting opinions as to the short to medium-term viability of the hotel.

The total funding required for the project, according to the Tokyo agreement, was $132 million. In May 1983 the Casino Act was passed in Parliament, with the next steps in the

process being the selection of the site of the casino and the selection of the operator. The promoters of the original ASER concept (Pak Poy and Kneebone) were keen to secure a slice of the action, and the opportunity to develop a casino in the old railway station building proved irresistible. The three parties joined forces, established the ASER Investments Unit Trust, and successfully won the right to develop and operate the casino in March 1985. AIUT was to operate the casino, with the station premises being leased from ASER Property Trust, which was owned equally by Kumagai and SASFIT. This was the start of a complex financial arrangement that this Government is now being left to unravel.

The financial structure was complicated by a series of under-leases, which effectively secured the cash flows from the AIUT to the ASER Property Trust. AIUT could only share in 'super profits' once APT had covered all its costs. The casino was to be the money tree for the commercial elements of the ASER project. With the casino licence in hand, the construction works already under way now took in the refurbishment of the old railway building. The extent to which the former Labor Government was determined to pump prime the building industry is clear in the briefing note to which I referred earlier. It states:

> Substantial capacity exists in our building and construction industry. The ASER project would boost turnover in this industry by around 15 per cent in 1985 with little pressure on costs. Present indications are that the existing downturn in the industry will continue until about mid 1986, when significant construction associated with the Roxby developments should commence.

On the issue of costs, the judgment of the former Government will be shown to be badly lacking. Construction of the casino started in early 1985 and came in at $24.5 million. When the former Premier (John Bannon) officially opened the casino in December of that year with a toss of the pennies, a much bigger game was being played out. The rest of the project was being dogged by industrial disputes in one of the worst examples of industrial management in this State's history. The Builders Labours Federation had hijacked the site, and the Government, rather than taking the union head on, resorted to a system of bribery to this industrial blackmail. Workers walked off the job for the most trivial of reasons and would return only for rewards like beer and spirit vouchers.

Cash payments of thousands of dollars were also used as a tool to get the workers back on the site. The delays and costs of labour hit the bottom line hard, and there is a record of repeated advices to the then Premier of cost overruns in the Government elements of the complex. On the drawing board the costs for ASER started at about $85 million in 1983. As the plans firmed up in that year, the costs were put publicly at around $160 million. By the time the project was completed in 1989, ASER had blown out to a staggering $340 million including accrued interest. At this point the key partners (SASFIT and Kumagai) opted to obtain financing from Westpac amounting to $200 million in order to repay themselves the cash invested during the construction phase.

While the cash flows of the Casino were substantial, the hotel did not perform to expectations and the office block had difficulty attracting tenants. Indeed, there is a vast amount of correspondence which shows that the Bannon Labor Government's decision to commit public funds to support the ASER office block was made with little consideration to the Government's future accommodation requirements or the cost. During this time the then Liberal Opposition consistently sought information in Parliament about the execution of the project. Such information was denied, with the result that there was never proper accountability for the project. Saddled with such a substantial debt, there was little ability for the project to cope with any adverse change in the marketplace. The valuation methods largely ignored the write down in the value of the key properties in the ASER complex following the commercial property crash of the early 1990s, relying instead on the Casino profits as rental income to shore up the project.

In 1988, the Pak Poy interests decided to sell their interest in AIUT to Southern Cross Homes, a benevolent organisation which provides care for the aged. Led by the former Chairman of SGIC, Mr Vin Kean, Southern Cross borrowed the full purchase price from the former State Bank on the expectation that super profits from the Casino and hotel would flow in a few years. That was never to occur and, as members will recall, the Government through the South Australian Asset Management Corporation was forced to take control of the Southern Cross investment last year; another matter which, while aware of the difficulties being faced by Southern Cross, the previous Government failed to resolve, even though it intended to do so.

The decision by the SAAMC board to foreclose on Southern Cross resulted in the ASER investment being placed on the SAAMC books at a carrying value of about $25 million. This figure was based on valuations obtained at the time from Price Waterhouse and Macquarie Bank. The ASER project in its final form was uncommercial at best, unviable at worst. It is another State Bank style saga in that the risks and costs to the taxpayer were compounded under the cloak of secrecy and the refusal to be accountable to the Parliament. Now the Government is dealing with the results.

Since taking control of the Southern Cross interest last year, the Government has continued to work with SASFIT, now Superannuation Funds Management Corporation, and Kumagai to restructure ASER. The Technical and Management Services (TAMS) agreement with Genting was terminated by mutual agreement. This was another questionable arrangement which was signed off in 1985 with the knowledge of the former Government and was for a minimum term of 20 years with an option for a further 10 years. Payments under the TAMS agreement ran to millions of dollars each year. One of the key players in the ASER scheme, former Chairman of SASFIT and Chairman of ASER, Ian Weiss, has departed. The $200 million Westpac loan has been refinanced. The complex corporate and financial structure which was created did not allow for any partners to exit their investment, despite the common objectives of Kumagai and SASFIT not to be long-term investors. I table a copy of the corporate structure for members' information.

As to the former Southern Cross investment, forecasts of returns made over the years have failed to materialise. Looking at the immediate situation, the Adelaide Casino has been hard hit by competition from interstate. Indeed, even its competitors have suffered substantially from a downturn in the most recent reporting period. Secondly, despite being the first site in South Australia to have gambling facilities, the Adelaide Casino could not hold onto its initial lead in the face of a very competitive environment. As a result, the cash flows from the Casino have declined dramatically. In 1990-91 the net gambling revenue (that is, the gross gaming revenue less prizes paid) was $86.6 million, rising to $116.2 million in 1993-94, driven largely by revenues from gaming poker machines which were introduced into the Casino nearly 9 months prior to those in hotels and clubs. In 1994-95, the net

gaming revenue came in at $83.5 million and there has been further deterioration in the first half of 1995-96.

The seriousness of this situation is that the ASER Property Trust partners have had to face up to the reality of a heavily debt burdened structure. So serious has been the decline, the partners, Kumagai and the former SASFIT (now known as the Superannuation Funds Management Corporation), have had to dig into their own pockets to meet interest payments on the $200 million Westpac loan in recent times. As a result, the Superannuation Funds Management Corporation believes that it is appropriate that its stake in ASER be written down from $73 million to zero. In fact, at the end of last year it was $100 million.

The value of the SAAMC share of the ASER investment unit trust can also be expected to be zero. SAAMC made a provision in its accounts last year for its ASER share and accordingly a further provision is expected this financial year. I would point out that a full valuation of SAAMC's ASER share will not be undertaken until the end of the financial year. At this point SAAMC is still expecting to make a return to Government above its previous forecasts due to some better than expected recoveries in other areas and despite the ASER difficulties. In short, the write-downs in values on the Government side of the ASER equation this financial year will most likely total close to $90 million.

The most immediate task for the Casino and ASER management and shareholders is to reverse the decline in profitability. To this end, a number of measures are being taken. The first has involved the hiring of current Bank of South Australia and former State Bank Chairman Mr John Frearson to act as Chief Executive of the Adelaide Casino following the recent departure of Mr Terry Shanahan due to serious illness. Mr Frearson has been engaged for an initial period of three months while work is undertaken to review the management structure. Mr Frearson will work with the ASER shareholders on expanding the range of initiatives to encourage patronage at the Casino, including improving marketing.

The Asset Management Task Force has developed a strategy in consultation with the ASER shareholders for the reconstruction of the corporate arrangements within ASER. All shareholders have agreed in principle to collapsing the complex corporate structure and replacing it with a vehicle which will enable the eventual sale of part or all of the ASER complex. Negotiations on the restructure are now taking place with the shareholders. Part of the AMTF's work will involve the elimination of some of the long-term contracts, varying between 30 and 99 years, which underpin the structure. There are four regulatory bodies involved in the structure, and this framework is no longer viewed as appropriate given the current day arrangements which apply to the Adelaide Casino's competitors. Consequently, these arrangements will be subject to review by the Government. The AMTF's restructure strategy has been subject to review by the auditors of the ASER group of companies, Price Waterhouse. That work could take up to 18 months to complete, and a decision will be made at that time on whether to embark on a sales process.

In conclusion, I would repeat that this Government is dealing with a time bomb left by the former Government. The ASER complex is the result of the incompetence of a former Labor Government desperate to shore up its political stakes regardless of the cost. The troubles being experienced by ASER are a direct result of the blow-out of the costs of the project from $160 million to around $340 million. This blow-out can be traced back to the inaction of the previous Labor Government to control unions on a project it was actively sponsoring. What we are left with is a heavily debt burdened structure which survived to this point only because of the previous performance of the Casino.

In the longer term it is hoped that the uncommercial strictures which have been applied to the ASER project can be removed and value to the shareholders returned. It will not be an easy process. It is another horrid example of the former Government seeking to be a player in an area in which it had no expertise. The stakes have been high and the debts are now being called in. It is another Labor mess which this Government is cleaning up. I will keep this House informed on the progress.

INDOCHINESE AUSTRALIAN WOMEN'S ASSOCIATION

The Hon. S.J. BAKER (Deputy Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.J. BAKER: The Indochinese Australian Women's Association (ICHAWA) of 110 Woodville Road, Woodville, provides a welfare and social service for refugee and migrant women and children of Indochinese background. Funding for specific programs run by the association is received from both Federal and State sources.

In March 1995, ICHAWA staff reported to police alleged misappropriation of association funds. In late 1994 an audit of ICHAWA's finances, while revealing a number of significant irregularities in record keeping and cash transaction procedures, did not extend to actual disclosure of fraudulent activity in relation to the handling of the funds. However, extensive police investigations into the March 1995 allegations revealed evidence of several instances of funds being spent in areas other than those to which they had been allocated. Institution of any proceedings in these cases was precluded by the statutory limitation of time. Further information relating to two applications for Federal funding grants made in recent years has been referred to the Commonwealth Director of Public Prosecutions for adjudication.

Since inquiries were commenced, the ICHAWA Executive Committee has instituted strict control measures relating to the management of ICHAWA funds. Accordingly, ICHAWA's licence under the Collections of Charitable Purposes Act has been renewed. I trust that ICHAWA can now look to the future positively as it continues to provide valuable community support and service to refugee families, Indochinese women and children who, in the past, have received great assistance during the resettling period in South Australia.

QUESTION TIME

The SPEAKER: I point out that questions that would normally be directed to the Minister for Infrastructure should be directed to the Minister for Tourism, those that would normally be directed to the Minister for Health should be directed to the Deputy Premier and those that would normally be directed to the Minister for Housing, Urban Development and Local Government Relations should be directed to the Minister for Employment, Training and Further Education.

WATER, OUTSOURCING

The Hon. M.D. RANN (Leader of the Opposition): Why did the Premier tell the House that the Government had laid down a requirement to maximise Australian equity in the water contract when the lead negotiator in the bidding companies was under no instruction to seek Australian equity? On 28 November the Premier told this House:

> There was a requirement that, in general terms, they had to achieve Australian equity as high as possible and that would be taken into consideration when assessing the bids.

Mr Terry Burke, the lead negotiator in the contract negotiations, said last Friday he was never instructed to seek Australian equity.

The Hon. DEAN BROWN: Once again, we have the Leader of the Opposition and the Opposition trying to attack what has been a good contract for South Australia. This contract, like the EDS contract and the contracting out of public transport, saves the taxpayer money.

Mr Foley interjecting:

The SPEAKER: Order! The Premier will resume his seat. The Leader of the Opposition has asked a question and, if the member for Hart wants to ask a question, he will have the opportunity to do so. Interjections are out of order.

The Hon. DEAN BROWN: The Opposition will just not accept that the contracting out of Government services by this Government has saved the taxpayers of South Australia about $50 million a year—year after year. In addition, it is bringing very significant economic benefits to this State, such as $628 million of exports.

Mr CLARKE: Mr Speaker, I rise on a point of order. Standing Order 98 provides that Ministers are required to answer the substance of the question that has been put to them.

The SPEAKER: Order! The Deputy Leader of the Opposition is aware that Ministers are given far more latitude in answering questions than members are given in asking them. This is an important question and therefore it is not for the Chair to put strictures in the way of people answering. I suggest—and as I have pointed out to the Deputy Leader of the Opposition previously—that he refer to the answers given by the now member for Giles when he was Treasurer of South Australia.

The Hon. DEAN BROWN: As I was pointing out to the House, the whole objective of the Government in contracting out is to save taxpayers' money and, at the same time, to attract major new economic benefits to South Australia, including in the export area. That is exactly what the water contract does. The RFP clearly says that the companies involved must develop strategic alliances and they have to maximise the benefits to South Australia and, as anyone would understand, they do that in two areas. The first area is in terms of the exports that are achieved from South Australia, which was a key part of what was being assessed. In terms of the strategic alliances they were asked to achieve, the other part was which Australian or South Australian companies they were bringing into the partnership.

Members interjecting:

The Hon. DEAN BROWN: Quite clearly, if you take South Australian companies and maximise the benefits—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN:—to this State, those South Australian companies are an important ingredient of what we are assessing.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition will not interject again or he knows that he will be off the list.

The Hon. DEAN BROWN: There are two ways in which the benefits to South Australia can be maximised. The first is through maximising exports out of South Australia, and the second is in terms of the local industry that is taken into the alliances that are established to do the contracting out. They are the two factors that were assessed as required under the RFP.

COMMONWEALTH-STATE RELATIONS

Mr LEWIS (Ridley): What initiatives has the Premier taken to ensure that there are effective Commonwealth-State relations, following the refreshing change of Government in Canberra?

The SPEAKER: Order! The honourable member is now commenting.

Mr LEWIS: What assurances has the Premier obtained from the Federal Government for support for specific projects in South Australia?

The Hon. DEAN BROWN: Now that there is a new Government in Canberra, the States have a golden opportunity to ensure that we have a much more effective Commonwealth-State relationship than occurred under the previous Labor Government. One has only to go back and see what the former Labor Government did to the then Labor Government of this State to realise the extent to which that relationship had broken down as a result of Paul Keating's Government in Canberra.

I am delighted to say that, last week, I took the initiative of telephoning each of the State Premiers and the Territory leaders and, as a result, there will be a meeting in Adelaide on 12 April of all the State Premiers and Territory leaders with the specific objective of sitting down and talking about the major issues that confront the States in their relationship with the Commonwealth Government. Of course, some of the key issues include how we make sure that, on an ongoing basis, we get a fairer share of the national economy and, in particular, of the Federal Government's tax cake than we got under the former Labor Government. There was no compensation for the growth of the national economy under the Paul Keating Government in Canberra.

Another important area is the development of a common approach between the Federal Government and the State Governments on the issue of industrial relations. John Howard has already indicated that he intends to amend significantly the unfair dismissal laws. There is now a golden opportunity to make sure that we get a better relationship in industrial relations than we had when Paul Keating was in Government. Under that proposal, the Federal Government was prepared to ride roughshod over the State Governments, no matter what their legislation, and make it easy for workers under State awards to simply transfer across to Federal awards.

Another issue with which the Keating Government would not come to grips was native title. South Australia has been the lead State in negotiating on behalf of the States with the Federal Government to sort out the bureaucratic nightmare that exists under the native title legislation as introduced by the Keating Government. We have also been asking for some time for the uncertainty over pastoral leases to be sorted out, as far as native title is concerned. These are some of the issues that the State Premiers will be considering on 12 April.

Another important issue that we will look at is how we as State Governments should put forward a submission to the Federal Audit Commission inquiry. The Audit Commission has been formed to look at how it can reduce Federal expenditure by about $8 billion. As State Governments, our concern is that it is the State Governments that have reduced their overall expenditure over the past three or four years, whereas the Federal Government has been increasing its outlays very considerably.

The Hon. Frank Blevins interjecting:

The Hon. DEAN BROWN: I am delighted that the member for Giles has come in here supporting me, because he, as a former Treasurer, would appreciate the fact that the Federal Labor Government increased its national outlays by 50 per cent in real terms over the past 10 years whilst the States did not get any improvement whatsoever in real terms as grants from the Federal Government.

The other key issue that the State Governments want to take up with the Federal Government is how to reduce the amount of tied grants to the States and the duplication of the Federal Government in areas which are traditionally the preserve of State Governments. In particular, the Federal Government has built up an enormous bureaucracy to do no more than look over the shoulders of the State Governments in areas such as health, education, urban development and housing. It is about time that that duplication was eliminated so that we save the taxpayers of Australia a considerable amount of money.

I am delighted that the State Premiers and Territory Leaders are coming to Adelaide on 12 April and that South Australia has been the initiator of this meeting, and we will be planning our submissions both for the Federal Audit Commission report and for the Premiers' Conference to be held in June this year.

WATER, OUTSOURCING

Mr FOLEY (Hart): My question is directed to the Premier. Did the request for proposal documents for the water contract go to the Cabinet subcommittee, of which the Premier is a member, or to Cabinet for consideration and approval?

The Hon. DEAN BROWN: A submission was put to Cabinet outlining the broad objectives of the RFP and seeking Cabinet approval to release the RFP. Yes, there was a Cabinet submission on that basis and, in fact, that submission talked in some detail about maximising the benefits to South Australia in two areas—the export of South Australian goods and Australian equity within the operating company.

CASINO

Mr BECKER (Peake): Given the Treasurer's statement to the House today on the ASER project, can he provide further information on the background of the technical and management services agreement with the Adelaide Casino?

The Hon. S.J. BAKER: I thank the honourable member for his interest in this matter; I know that he has had an interest in this issue over a long period, as I have. The TAMS agreement was entered into on 9 August 1985. Parties to the agreement were ASER Nominees Pty Ltd, ASER Investments Pty Ltd, Aitco Pty Ltd, Genting (SA) Pty Ltd and Genting Berhad. The agreement, as I said earlier, had an expiry date of the year 2006 and then another renewal of 10 years on top of that.

The fees to be paid to Genting were initially structured on the basis of a once-off technical assistance services fee of some $250 000. The annual management services fee consisted of two parts, one being 1 per cent of the revenue of the Casino, and the second a profit fee of some 10 per cent, which is quite an extraordinary sum of money to pay for someone to technically advise you how to run a Casino. More extraordinarily, it provided for 20 years, and I do not know of any Casino in the world which has that sort of arrangement. But we can reflect on the deals that were done at the time.

From 1 July 1987, AIUT and Genting entered into an agreement which recognised the 'notional interest' of capital expenditure, so that off the profit there had to be some recognition of capital improvement, and there was a renegotiation of the fee. From 1 April 1991, the separate revenue fee and profit fee components were replaced with a single management fee, and this was 14 per cent of Casino profit (that is the profit of the Casino before occupation licence fee and before corporate expenses and interest), reduced by the notional interest charge. From 1 October 1992 the management fee rate was reduced to 13.5 per cent of Casino profit.

The TAMS agreement was terminated effective 30 June 1995. A negotiated settlement to Genting of three instalments of $1.5 million each, with an additional $500 000 possible dependent on the future profitability of the Casino, was reached. The actual fees paid to Genting over the past three years were as follows: $3 764 620 to 30 June 1993; $4 622 072 to 30 June 1994; and $1 161 015 to 30 June 1995. Over that period of the contract, more than $9 million was paid out in service fees—and I would question, 'For what?' As I said, the settlement of $4.5 million was to be paid out in three years, and an additional $500 000 may be payable in the event of an improvement in profitability. The TAMS agreement is now at an end, and it has been another costly venture for South Australia.

WATER, OUTSOURCING

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Given that the Premier chairs the Cabinet and was a key member—we are told—of the Cabinet subcommittee overseeing the water contract, why did he say at a press conference yesterday that he was surprised that the request for proposal tender documents included no requirement for Australian equity in the companies bidding for the water contract, given that he has just said exactly the opposite in reply to the question from the member for Hart.

Last Friday, the hearing of the Select Committee on EWS Outsourcing Functions was told by the lead negotiator Terry Burke that he was 'never instructed to seek Australian equity'. In an interview given by the Premier yesterday, he stated:

> It did surprise me that there was no specific requirement at least asking for some sort of maximisation of Australian content.

The Premier continued that he had no part in drawing up the request for proposal and stated:

> You would need to ask those people that did.

Who did? Were you involved or was the Minister for Infrastructure involved?

The SPEAKER: Order! Mr Premier will ignore the last part of the question; it is out of order.

The Hon. M.D. Rann: He ignored the whole—

The SPEAKER: Order! I suggest to the Leader of the Opposition that when he has completed his question and resumed his seat he does not continue. The Chair is getting sick and tired of members playing the oldest trick in the game by asking a second question at the end of their explanation. The Chair is well aware of that tactic. The honourable Premier.

The Hon. DEAN BROWN: The Leader of the Opposition and the member for Hart will not listen to and accept the fact that there was a specific requirement that we had to maximise the economic benefit to South Australia. As any fool would know, that can be achieved in two ways: the first is in the specific area of exports from the State; and the second is in the specific area of the level of equity and participation by Australian companies in the contracting out company. As I pointed out to the House, and as I pointed out when this matter came before Cabinet, those specific areas were canvassed as the overall objectives of the RFP which Cabinet signed off.

The Hon. M.D. Rann: You said in the Parliament and outside—

The SPEAKER: Order! I call the Leader of the Opposition to order for the second time today.

The Hon. DEAN BROWN: If you intend to maximise the benefits to South Australia, there are two ways of doing it: both in exports and in the involvement of South Australian companies in those contracting out companies. It is as simple as that. Therefore, if one is going to judge the economic benefit to the State one needs to assess both those areas, and that is what I said.

The Hon. M.D. Rann: You said, 'Australian equity'.

The SPEAKER: Order! I formally warn the Leader of the Opposition for the second time today.

The Hon. DEAN BROWN: I will not repeat the point, but both those areas were being assessed, and quite rightly so. The RFP itself specifically asked for strategic alliances with local companies to be included in the submission.

WORKCOVER

Mr BASS (Florey): Will the Minister for Industrial Affairs please inform the House of the recent reduction in the number of WorkCover claims?

The Hon. G.A. INGERSON: We are proud to say that as of December 1995, for the first six months, the claims are 10.3 per cent lower than for the previous quarter.

Mr Clarke interjecting:

The Hon. G.A. INGERSON: Just listen: you always like to interrupt and play games, but a few other issues need to be raised. Apart from the drop in claims, one of the most important issues is that there has been a 38.5 per cent drop in time lost from work during the first four months of the 1995-96 quarter, and in essence that means that, for the first time in the past five years, workers are actually returning to work sooner than they have ever done before. That comes about clearly because a sum of about $2 million is being spent by the corporation—money that was never committed by the previous Government—on occupational health and safety programs.

The most important issue involving WorkCover is to have no claims at all. The only way that can be achieved is by implementing occupational health and safety programs. The Deputy Leader of the Opposition, who always talks about the need to make improvements in WorkCover, for a change agrees with what we are saying, and it is good to see. We are actually starting to put money into areas that the previous Government ignored.

It is also true that the legislative changes relating to journey accidents and the first 10 days off from work in terms of pay have made a significant improvement to the overall cost of the scheme. In reality, for the first time in five years we have a situation in which workers are returning to work instead of staying on the gravy train—and staying there for a long time—with no attempt being made to treat them and get them back to work. At last, in South Australia, we are starting to have exactly the same effect as we have had in the road safety area where people no longer accept that it is reasonable to have accidents on the road. The same position is now occurring in the workplace where accidents are not accepted as a real issue and we are starting to see some important improvements.

WATER, OUTSOURCING

Mr FOLEY (Hart): My question is directed to the Premier. Will the Government be reappointing Mr Terry Burke as lead negotiator for the $300 million build-own-operate water filtration schemes; and, if so, what is the expected payment for this service? On Friday, the lead negotiator for United Water, Mr Terry Burke, said that his fee was $495 000 for 4½ months work and it was 'unfortunate that he did not receive a success fee'. When asked about his fee Mr Burke said, 'Living in Adelaide can be expensive and this depends on your lifestyle.'

The SPEAKER: The honourable Premier.

Members interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON: I am fascinated when I hear the Opposition get up in the House and make an issue about a payment of $495 000. What about the $500 000 that members opposite paid to Marcus Clarke to lose $3.15 billion? What about the $500 000 that was paid there? What about the payment to the MFP Chairman/Chief Executive? What about the fact that Senator Gareth Evans employed Mr Terry Burke to work with him in setting up relationships between Australia and India? The very man that the member for Hart is criticising was a key negotiator for the Labor Party in the Federal Government. The hypocrisy of some of these questions is interesting. Terry Burke was involved in negotiating savings of $20 million for South Australia in this water deal.

Members interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON: How about comparing the $20 million-plus to the $3.15 billion loss of Marcus Clark?

PRISONS, DRUGS

Mr LEGGETT (Hanson): Will the Minister for Correctional Services please advise the House on the Government's continued crackdown on drugs in prisons and, in particular, the continued success of the Itemiser N computer system, known more commonly as the computerised sniffer dog?

The Hon. W.A. MATTHEW: I thank the honourable member for his ongoing interest in correctional services matters. When I first became Minister for Correctional Services, as is well known to this Parliament, I came in on the undertaking that the Government would do everything within its power to crack down on drugs in prisons. Shortly after becoming Minister, I commissioned an investigation into

drugs in prisons by an independent investigator from the Northern Territory, a retired Assistant Commissioner of Police, Mr Arthur Grant. In January 1995 I tabled Mr Grant's report in this Parliament to lay open to the public of South Australia the extent of the problem of drugs in our prison system, and the measures and recommendations that had been put forward to combat that problem.

As part of the ongoing battle against drugs in prisons, the Government recently embarked upon the use of new technology. The Itemiser N, or computerised sniffer dog, as the machine has become known, was initially trialled on visitors to our prisons. The visitor area and the visitors themselves were targeted by the machine to the extent that nearly 25 per cent of visitors targeted in the initial trials proved to be drug positive; that is, they were carrying an illegal drug substance on their person. Naturally, they were denied access to the prison and, where the substance was deemed to be of a quantity requiring the attendance of the police, they were immediately called to the prison site.

South Australia's is the first State Government in Australia to purchase this equipment for use in its prisons system. The computer equipment has cost some $80 000 and already, in the few short months in which it has been in use, it has demonstrated its worth. Indeed, this computer system has become so infamous amongst prison visitors that prison officers are noticing visitors turn away from the prison when they see the equipment in use. That is being put down as the major reason why the 25 per cent drug detection rate during the trial has now slipped to a steady 15 per cent at each prison at which the equipment is used. The equipment involved is fairly ingenious, state of the art technology that was invented for use in US military installations, initially to detect explosive substances being smuggled into those installations.

The company that developed the equipment soon found that it could be used in prison systems to detect drug substances. Indeed, it is capable of detecting a range of 24 substances including heroin, cocaine and marijuana. The computer equipment is used in a non-invasive way. It involves the use of a scanner moving over the clothing of a visitor, across bags and other items they may be carrying, and picking up microscopic traces of drugs. The scanning equipment is then put through a sensor attached to a computer, and that sensor within seconds determines the presence of any drug substance. So successful has this been that visitors have the message already: if they bring drugs into the prison system, to a prison where this equipment is in use, the equipment will detect the presence of that drug.

If we as a Government and a community are to combat the use of drugs in prison and, if we are to effect a better rehabilitation rate than is presently the case within our prison system, we must stop drugs from getting into the prisons. The message is loud and clear: if a visitor to a prison, staff member of a prison or any maintenance worker going into a prison attempts to smuggle drugs into the prison, this equipment will be used to detect that substance and action will be taken. The message is there for those people: if they try to smuggle in drugs, they could find themselves on the other side of the prison bars after the law is fully exercised and the court processes are completed.

Mr BROKENSHIRE: Mr Speaker, I rise on a point of order. I understand that last week you made a ruling in respect of people being in the press gallery. The Leader of the Opposition's Press Secretary has been in the gallery for over 15 minutes.

The SPEAKER: Order! The member for Mawson is correct. I did make a ruling, and the ruling was that press secretaries could hand out prepared questions to members of the press but they were not to converse with them or attempt to distract their attention. I have today requested that a letter be prepared clearly indicating the procedures, and that will go to all press secretaries, hopefully tomorrow.

WATER, OUTSOURCING

Mr FOLEY (Hart): Will the Premier tell the House how much each of the consultants were paid by the South Australian Government for their services on the water outsourcing contract? The consultant employed by the Government to act as lead negotiator in the water contract, Mr Terry Burke, is reported as having been paid almost $500 000 for 4½ months work. Other consultants engaged to provide advice on the water contract include the Boston Consulting Group, Price Waterhouse, Kortlang Media, McGregor Marketing, Fay Richwhite, Deloitte Touche Tohmatsu and Shaw Pittman.

The Hon. G.A. INGERSON: Clearly, today we have put on the record that $495 000 was the payment made to Mr Burke, and I want to make very clear that that was fully inclusive of expenses including accommodation, air fares and other expenses of Mr Burke, who resides in Sydney. I never cease to be amazed at the comments—

Members interjecting:

The SPEAKER: Order! The Minister has the call.

The Hon. G.A. INGERSON: I never cease to be amazed by the member for Hart, in particular. One of the contracts that slipped my mind was that of Bruce Guerin, who had a contract of five years work at the current pay rate for the Head of the Department of the Premier and Cabinet. It did not matter at all what job he got at the university. I would not be at all surprised if we found a piece of yellow paper with the member for Hart's signature on it, because he was probably in the Premier's Department when that contract was drawn up.

I never cease to be amazed by those who stand in this House and complain about contract prices being paid by this Government, when members opposite had the gall to appoint people who lost $3.15 billion for this State and for all our taxpayers. In relation to the other people mentioned by the member for Hart, I will obtain a considered reply. However, let us not forget that this is the very man who has been in this place day after day asking questions and, every single time he asks one, he is proved to be wrong.

ECO-CABINS

Ms GREIG (Reynell): Will the Minister for Employment, Training and Further Education provide information about TAFE building eco-cabins for environmentally sensitive areas such as national parks?

The Hon. R.B. SUCH: This is another great success story from within TAFE, involving Aboriginal apprentices and trainees, and it follows a good story in the *Sunday Mail*. I commend Michael Owen for that story on the weekend. These Aboriginal apprentices are building the TAFE campus for Ernabella that will be transported up there in sections and re-erected by those Aboriginal trainees and apprentices in front of other members of the Ernabella community.

In addition to that excellent development, at the Douglas Mawson Institute we now have another outstanding innova-

tion, and that is the creation of eco-cabins. I mention the term 'eco' because I had a letter recently from a Japanese professor inquiring about 'echo-tourism' in South Australia. I think he had in mind a 'cooee' type of tourism. These are eco-cabins; they are environmentally friendly. They are of the order of 2.5 metres by 2 metres and are made out of natural materials as far as possible—basically, South-East pine. The member for Mackillop will be pleased to hear that. They are solar powered and have natural gas heating, water and waste disposal which meet National Parks and Wildlife regulations and which blend into the environment. They accommodate four people and are provided with a small kitchen. These cabins are supplied to national parks and at the moment include provision in the Mount Remarkable National Park, at Dalhousie Springs.

Currently these young Aboriginal trainees and apprentices are erecting cabins in the South-East, at Naracoorte. This is another example of young Aboriginal people taking control of their own lives, getting training which is relevant and making something that is a positive contribution to South Australia. The demand for these units is growing to the point where many people in the private sector are now expressing interest in eco-cabins. Within TAFE we are doing our best to give young Aboriginal people the opportunity to maximise their talents and at the same time contribute to eco-tourism in South Australia.

In conclusion, I will refer to a related matter, namely, the graduation last Thursday night of nine young Aboriginal trainees who attended the Peacock Academy and who were also trained by others in the private sector—Edge Training. Those young people are an absolute credit to the Aboriginal community. They are very impressive and they have all gained employment. As a community we should acknowledge the great efforts being put in not only by TAFE but also by private trainers in ensuring that young Aboriginal people can fulfil their rightful place in our community and make a total and positive contribution.

WATER, OUTSOURCING

Mr FOLEY (Hart): Will the Premier confirm that the decision to exclude Australian equity from the request for proposal documents for the water contract was based upon earlier advice from North West Water that it had a company policy not to include Australian equity in its bids?

The Hon. DEAN BROWN: I would have to take advice from the Minister on that matter; I do not know anything about it.

GRAINS INDUSTRY

Mrs PENFOLD (Flinders): My question is directed to the Minister for Primary Industries. What research is being undertaken to enhance the position of the grains industry in South Australia?

The Hon. R.G. KERIN: I thank the member for Flinders for her question. As she knows and as everybody is aware, last year was an excellent growing season in the cereal belt in South Australia. Three important factors of yield, quality and price were all good for many areas of the State, but unfortunately some people still missed out. The value to the State of last year's crop was about $1 billion, half of which was from the sale of wheat. Following that, there has been record funding to the South Australian Research and Development Institute, much of which comes from the South Australian Grain Industries Trust Fund. Conscious of what caused last year's good season, we are very aware that we need to invest in R&D. Last year's success was due largely to the availability of improved varieties which were produced from programs jointly funded by industry, the Government and the University of Adelaide. Industry money is raised by a voluntary levy on grain producers, which is then allocated to research projects judged on merit by the South Australian Grain Industry Trust Fund. Through SARDI the Government has this year won the majority of that funding.

The projects with SARDI for this year include a special emphasis on quality in new pulse and oat varieties, with the focus on specific markets. The funding has also been allocated for the development of oat cultivars adapted to our conditions. Third is an aim to develop new diagnostic tools to enable the identification of pests and diseases that are reducing farmers' yields; and money has also been allocated to undertake a business plan for the future setting up of a diagnostic capability in SARDI for the use of these tests. Also, there is another thrust to develop new bio-technologies for use in the breeding programs. Once again, with this funding SARDI has been recognised by industry as the leader in research and development. The grain industry is a very big contributor to the State's economy and, through both SARDI and PISA, the Government will continue to support that industry.

WATER, OUTSOURCING

Mr FOLEY (Hart): Again I direct my question to the Premier. Given that SA Water officials and the lead negotiator, Mr Terry Burke, were aware of United Water's two-company structure as early as August last year, will the Premier now explain why he was unaware of this until three months later? The announcement of the United Water contract on 17 October by the Premier and Minister for Infrastructure involved a two-company structure under which United Water International was to subcontract the operation of Adelaide's water systems to another, wholly foreign owned company. Last Friday, Mr Terry Burke, the lead negotiator for SA Water, said that he was aware of United Water's proposed two-company structure in early August. The Premier told Parliament on 22 November last year—three months later—that he had become aware of this only the day before.

The Hon. DEAN BROWN: Surely, having been an adviser to the Premier, the member for Hart knows that the Premier does not sit out in all 70 000 Government offices and listen to every conversation carried on in all those offices. Surely, the honourable member does not expect me as Premier to be involved in such minute detail out there in the broad community and to know instantaneously every conversation carried on among the 70 000 to 80 000 people who act on behalf of the State Government. I point out—and my ministerial colleagues will back me up here—that Ministers do not get down and deal with—

Ms White interjecting:

The SPEAKER: Order! The member for Taylor.

The Hon. DEAN BROWN: —matters in other ministerial areas to that sort of detail—of course not. The suggestion that I should have known of some conversation that went on with the negotiator of SA Water back in August last year is a preposterous sort of proposal.

HOUSING TRUST, ANGAS STREET PROPERTY

Mr OSWALD (Morphett): Will the Treasurer provide information to the House on the uses to which the Housing Trust property in Angas Street was put, following the forced removal of the trust to the ASER development in 1990?

The Hon. S.J. BAKER: Previously I mentioned the Riverside building, which was part of the ASER complex. No-one wanted to go there, so what was the solution adopted by the former Government? It said, 'We need some tenants.' So, it emptied out the building at Angas Street and transported its staff and belongings to the Riverside building to provide a rental stream. If that is not robbing Peter to pay Paul, that expression needs to be reconsidered. The trust still owns that building. No rent is being paid and, from 1990 to 1996, the costs of maintaining the building were $422 088. The premises are vacant and up for sale; however, the sale process is on hold depending on what happens in other parts of the precinct.

It is another example of where accommodation has been available but, because of the political imperative—a vacant building—the Government determined that it would shift the Housing Trust down there simply to fill the building and keep the rental flow up so that the books could show that the loss from that venture was not as high as it actually was. We have all these bits and pieces of Government decision making, all designed to cover up the great mistakes that were made at the time.

STORMWATER, WEST BEACH

Ms HURLEY (Napier): Will the Minister for Primary Industries guarantee that proposals to redirect stormwater through the sandhills at West Beach will not threaten the future of aquaculture research undertaken by SARDI in that location and the future development of aquaculture in South Australia?

The South Australian Research Development Institute at West Beach draws seawater from Gulf St Vincent for aquaculture research undertaken at the station. On 17 March the Premier released a new Aquaculture Industry Strategic Plan, which was prepared by the prestigious research company AACM International and which proposed a new marine technology park at West Beach. The Premier said that this would help South Australia to become the national leader in aquaculture. Plans to discharge Sturt Creek through the sandhills would divert stormwater from the Patawalonga for discharge to the gulf 200 metres from the seawater inlet used by SARDI.

The Hon. R.G. KERIN: The honourable member should rest assured that we will not put aquaculture at risk. What the honourable member is talking about is pure conjecture anyway, and decisions have not been made on that. Those decisions would not be made in the context where it would put something like SARDI's research down there at risk. We will handle it as it comes about.

AUSTRALIAN QUARANTINE INSPECTION SERVICE

Mr ANDREW (Chaffey): My question is directed to the Minister for Primary Industries. What role will South Australia have in the review of the Australian Quarantine Inspection Service recently announced by the new Federal Government this week?

The Hon. R.G. KERIN: I acknowledge the honourable member's interest in AQIS, which has a large say in the huge level of exports from his electorate. First, I would commend the Federal Minister, John Anderson, for acting quickly to review AQIS and look at its policies and programs. It is certainly important to consider our international obligations and the trade impact of AQIS decisions and the way they operate. John Anderson has announced a review team known as the Nairn committee, headed by Professor Malcolm Nairn, the former Vice Chancellor of the Northern Territory University. It will consult widely around Australia, appropriately starting in Adelaide in late April, early May.

There will be two South Australians on the review team. I am pleased to say that PISA officer Peter Allen has been selected to be a member. Peter is a highly respected entomologist with the Animal and Plant Control Commission and has vast experience in the field of agricultural pests. PISA will release Mr Allen for the required time to join the review team. Also on the committee will be Mid North farmer Andrew Inglis. Andrew was the Chairman of the GRDC and a highly respected grain grower with a vast knowledge of the industry, and it was to him I recently awarded the inaugural South Australian Farmer of the Year award. So, there is good South Australian representation. The committee will seek scientific, industry and community comment. The Federal Coalition Government is committed to an effective quarantine system to deliver the most efficient quality control programs for industry in Australia, and the committee is expected to report by 1 October. The rural sector in South Australia will eagerly await the outcome and look forward to the benefits of this review.

FAMILY AND COMMUNITY SERVICES PROGRAMS

Ms STEVENS (Elizabeth): My question is directed to the Minister for Family and Community Services. In the light of major funding cuts to family programs in this year's budget, will the Minister explain his statement that the Government is committed to the development of programs to strengthen families? Yesterday the Minister responded to a report on family violence, including violence by children as young as 10 towards their parents, by saying he was developing a major new thrust to strengthen families. This year the Minister has cut funding to family programs. Among a range of others, including Carelink, two highly successful Keeping Families Together programs run by Anglican Community Services and Catholic Welfare Services have had their funding cut from a total of $1 million to just $109 000 each, with no guarantee of funding beyond June.

The Hon. D.C. WOTTON: The member for Elizabeth has got it wrong again. I do not know how many times I need to explain the priorities we have in the Department of Family and Community Services, particularly in support of families. I would suggest that this Government has done more to support families than has been the case with previous Governments. I would suggest that the honourable member spend some time learning about the programs that are coming out of the Office for Families and Children, an office that was established by this Government specifically to assist families.

The honourable member has asked about the comment I made yesterday regarding the parenting program and the program to assist families that I have referred to. I have referred two or three times to a program that I intend introducing. I see it as a very high priority regarding support

for positive parenting. It is essential that that program be introduced in South Australia. We have looked at what has happened in Western Australia and in other States where similar programs have been introduced and have been very successful. So, a number of initiatives have been and will be introduced by this Government.

As far as the Keeping Families Together program is concerned, as the member for Elizabeth would know, both were introduced as pilot programs. The funding for both programs is still being determined, so I am not quite sure where the honourable member got the information that a final determination has been made, because that is not the case. We are still considering funding for those two programs. The Keeping Families Together program is probably one of the most successful programs that we have seen introduced in this State. It supports the very high priority that we give to keeping families together. Where previously, when problems have occurred within families where children were at risk, children have been removed from those families, this program very successfully has kept families together with added support being provided for them.

So, it is not appropriate to say we are cutting back in regard to family support programs. In fact, if the member for Elizabeth were to get her facts right and take the time to consider exactly what is happening in the Department of Family and Community Services, she would know the very high priority that this Government is giving to the support of families in South Australia.

COOPER BASIN

Mr VENNING (Custance): Will the Minister for Mines and Energy please provide the House with details of current developments in the oil and gas region of the Cooper Basin in the State's Far North?

The Hon. S.J. BAKER: It is a good news story for the State and, indeed, a very important part of the Santos history of this State. During 1996 the company will spend about $300 million on development capital and operations. This work will cover Moomba and Port Bonython, maintaining planned gas and oil production during the year. This is a huge amount of money, including expenditure on plant modifications at Moomba to supply ethane as a petrochemical feedstock to ICI in Sydney.

In terms of the drilling effort, we will have 18 development wells and the connection of 27 gas wells and 23 oil wells to the gathering system during 1996. Exploration in the Moomba area during 1996 will consist of the drilling of approximately 50 exploration and appraisal wells and the recording of 300 kilometres of seismic information at a total cost of some $70 million. This compares with $52 million in the previous year.

It is important to note that, if you look at the level of expenditure in the gas fields to our north, you see that we are talking about $8 billion in 1996 dollars, and the value of petroleum production, oil and gas, is approximately $13 billion. The State has benefited from royalties to the extent of $700 million. So it has been a great venture for this State, and nobody should underestimate the value that it has been to consumers, investors and employment in this State.

The Cooper Basin is entering new eras: policies to develop free and fair trading in gas will be implemented over the next few years. The sale of PASA in 1995 was an integral part of the Government's energy and debt reduction policies in this regard. The expiry of the Cooper Basin petroleum exploration licences in 1999—and we must remember that SANTOS holds the PELs 5 and 6—will be a further important step in facilitating competition for gas exploration and supply in South Australia. We have had a pretty exciting history: we will have a very exciting future.

WATER, OUTSOURCING

Mr FOLEY (Hart): Why did the Premier tell the House earlier today that the savings from the water contract totalled $50 million per year when the Minister for Infrastructure in his release of 17 October said that savings would total $164 million over 15 years, which equates to approximately $11 million per annum?

The SPEAKER: Order! The honourable member was commenting.

The Hon. DEAN BROWN: I suggest that the member for Hart should bother to go back and look at what I said. I said that the outsourcing contracts, which included EDS, public transport, the water contract and other contracts, are now saving taxpayers $50 million a year, every year, in South Australia.

An honourable member interjecting:

The Hon. DEAN BROWN: No, I did not. The honourable member might have been interjecting, as he was doing across the House, and therefore not listening to the answer. It is not surprising, because the member for Hart keeps bouncing to his feet to ask questions regardless of whether or not he knows the facts. I suggest that the honourable member go back and read what I said in *Hansard*. I will repeat it clearly for him once again. I said that the EDS contract, the contracting out of the water services, public transport, the Modbury Hospital and other contracts such as that, if you add all the contracting out that the Government has done, it is saving South Australian taxpayers about $50 million a year. That is good for the South Australian taxpayers, because otherwise we would be adding $50 million to our debt every year or they would be having to pay $50 million extra in taxation.

The trouble is that the Opposition in South Australia, having created the financial mess, will not acknowledge the fact that this Government has in place policies that are very effective indeed in cutting back on Government expenditure in those contracting out areas. For instance, it will not acknowledge the fact that, in contracting out bus services, not only do we save money but we will be able to supply even better and more frequent transport services. It is about time the Opposition, including the member for Hart, acknowledged the enormous benefits to this State in terms of both cost savings and new economic activity being created for South Australia by that very bold initiative.

FEDERAL FUNDING

Mrs KOTZ (Newland): My question is directed to the Premier. In light of the speculation about cuts in Federal Government spending of $8 billion, will the Premier advise the House whether there are any uncertainties regarding specific projects in South Australia?

The Hon. DEAN BROWN: I have been asked questions about a number of specific projects in South Australia—whether or not they will receive Federal Government funding as promised. I indicate that, for instance regarding the Adelaide Airport, John Howard gave a specific commitment last year and he gave a further commitment during the

election campaign, and the Adelaide Airport runway funding will be obtained by this Government. I assure members that I have raised that issue with John Howard since the election and he has reaffirmed that he gave a commitment for funding for the runway and that we will receive that funding.

There is also the question of Mount Barker Road. That is still being pursued by the State Government. We believe that a commitment was given, therefore we expect funding to come through for it. The Murray-Darling 2001 clean-up for which $163 million was promised from the Telstra sale is another issue. Provided the Telstra sale goes through, that money will be there over a five year period. South Australians can be assured that the clean-up of the Murray River will go ahead, provided the Labor Party and Australian Democrat members from South Australia are prepared to put the Murray River and the clean-up of the water for Adelaide ahead of their own Party policies. Therefore, I ask that they start putting the people of South Australia ahead of their own petty politics on that issue.

I have also raised the issue of Hindmarsh Island bridge with the Federal Government. The former Labor Government had initiated an additional inquiry. The law requires that that inquiry be completed. I have asked for that to be done as quickly as possible. It is up to the Federal Minister to administer that but, when the inquiry is completed, the South Australian Government hopes to be able to get on and build the bridge as quickly as possible. Another issue that I have raised with John Howard was the native title legislation. I asked that urgent amendments be made to native title legislation so that we can simplify the procedures and, at the same time, clarify very quickly the uncertainty that exists regarding native title and pastoral leases.

There is the issue of the airport terminal facilities. The Minister for Infrastructure is in Canberra today talking with the Federal Minister about trying to get additional money for the State for the terminal facilities. Adelaide was neglected under the Labor Government for so many years. Adelaide is the only capital city on mainland Australia where you still have to walk across the tarmac to get into the domestic terminal. I see the Leader of the Opposition nodding his head in agreement with me on that point: we were given a very raw deal indeed by the previous Labor Government in terms of facilities at Adelaide Airport.

Another issue is the MFP. The MFP was referred to the Bureau of Industries Economics by the former Labor Government, which had put down a condition that there had to be support from the bureau for ongoing funding for the MFP. Again, that is an issue that the Minister for Infrastructure is pursuing in Canberra today. I believe that we should obtain that funding to allow the project to proceed as it has been, particularly on a refocussed basis as put forward by this State, and that is all about the introduction of new technology in a whole range of areas, including information technology, the environment and water quality. I indicate to the House that on key projects, such as Adelaide Airport and the clean-up of the Murray River, the moneys promised by the Federal Liberal Government will come through and John Howard has confirmed that since the election.

GRIEVANCE DEBATE

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

The Hon. M.D. RANN (Leader of the Opposition): We have seen an extraordinary amount of con job from this Government. Today we have heard further embarrassing admissions from the Premier concerning what he did not know and what he did not do about the largest contract in the State's history—his Government's $1.5 billion water deal. How could the Premier be surprised? The Premier says he was surprised to learn that Australian equity was not a requirement of the water contract. How could the Premier of this State be surprised when he is the Chairman of the Cabinet that considered the proposal and is also a key member of the Cabinet subcommittee that looked at it?

Today, we have seen the Premier dodge and weave. He did not answer one single question in terms of the Australian equity that he promised and stipulated in this House last year. Again, let us remember that it is not the first time that the Premier has been caught out on the details of the $1.5 billion contract. The Premier did not know about the two company structure that would see the profits of the water deal head off to Paris and London. Now it is revealed that the Premier did not know that there was no requirement for Australian ownership of the company running Adelaide's water for the next 15 years. That is despite his telling this House on 28 November last year that the bidders had to achieve Australian equity as high as possible and that would be taken into consideration when assessing the bids. The Premier announced this deal with his Minister last year but he does not know the important detail of the biggest contract in South Australia's history.

Today, he is trying to pretend that he has never said Australian equity had been stipulated. The Premier is now saying he is talking about Australian companies receiving benefits and Australian exports. He said, 'Any fool would know that.' Any fool would know what the Premier said to this House on 28 November. There were no ifs or buts: he said there was a stipulation of Australian equity. Yesterday and last week, he said that he was surprised that had not been stipulated. It can lead to only one conclusion: that the Premier either does not know what is going on or did not tell the truth to this Parliament and to the people of South Australia. Just what does the Premier know about this deal? What was Cabinet and its subcommittee doing and how can people have any confidence in this deal if the Premier clearly does not know what is going on?

Someone who did know what was going on was the Government's lead negotiator, Terry Burke. He knew there was no requirement for Australian equity, all along. Mr Burke was paid $495 000 of taxpayers' money for 4½ months work. That is an hourly rate of better than $600, or more than a bus driver earns in a week. Last week, Mr Burke was on our TV screens saying that his payment was good value for money for South Australians. He said that Adelaide could be an expensive town, but, of course, that it depended on one's lifestyle. I have seen something of Mr Burke's lifestyle and he gets not only his snout but his trotters in the trough as well.

Last year while dining in an Adelaide restaurant, the Red Ochre Grill, I noticed a very rowdy table of SA Water staff and consultants celebrating the signing of the water contract. They were somewhat tired and very emotional. At that table

sat Mr Burke, who sent me over a bottle of French champagne—a very expensive bottle of French champagne. I immediately sent it back—

Mr Brokenshire: What were you doing there?

The Hon. M.D. RANN: I was eating in the restaurant. I know that you like to have your snout in the public trough of this State, and I will talk about that another day. At that table sat Mr Burke, who sent me over a bottle of very expensive French champagne. As I said, I immediately sent it back unopened. Like most South Australians, I was not celebrating the running of our water supply—

Mr Brokenshire interjecting:

The ACTING SPEAKER (Mr Becker): Order! The member for Mawson will get his turn in a minute.

The Hon. M.D. RANN:—by a foreign-owned company, least of all by drinking French champagne at taxpayers' expense. We heard today that Mr Burke was not the only champagne Charlie consultant popping the champagne corks over the Brown Government's water deal. At least 10 consultants worked on this deal, and the total bill for consultants will run to millions of dollars. It may not be the last time that Mr Burke pops the cork in South Australia. We are told that he may be selected as lead negotiator for another round of water contracts. How much of the taxpayers' money will be paid this time?

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

Mr BROKENSHIRE (Mawson): We have just heard the Leader of the Opposition at his shabby worst. It is interesting that he was dining at the Red Ochre Grill. What were the rest of South Australians doing? They cannot afford to be at the Red Ochre Grill because, when the Leader of the Opposition was a senior Cabinet Minister, he was one of the major players in the debacle that pulled this State apart. Instead of getting on with the job and recognising the fact that there are major savings to this State through the outsourcing of water, he continues to fabricate and to be negative in his role play for South Australia.

The Premier clearly explained the situation, but the Leader of the Opposition cannot take the fact that there is a Government in place in this State that is getting the debt down, that is outsourcing in the best interests of South Australia, that is going to create more jobs, more exports and save $50 million a year to save South Australians more heartache than they already have to bear, thanks to the Leader of the Opposition and the rest of the misfits that were part of his team in the previous Labor Government.

In the *Sunday Mail* a week ago, the Leader of the Opposition called for a sin-bin for MPs. He spoke about codes of conduct. Let us look at a few of the things that the Leader of the Opposition does. As a newer member of Parliament, I am disappointed to see such unprofessional behaviour in the Opposition when, in the private sector, no-one would be that unprofessional. He interjects continually. He disobeys deliberately the Speaker's calls to order. He encourages a general rabble and creates a rabbly atmosphere in the Opposition ranks. He asks three questions at once. He has a press secretary who created an office in the press gallery for over 25 minutes, and then ignored the direction of the Speaker and continued to sit there and smile, and stand up and fold his arms. Yet the Leader of the Opposition was reported in the *Sunday Mail* as saying that he will bring into Parliament a new ethos, a new professionalism and a new code of conduct. He never will, because he is a leopard who cannot change his spots, and we know it.

He called for urgent reform of State Parliament. He claimed that there is massive time wasting, repetition and unnecessary duplication. The Leader of the Opposition is the biggest time waster that I see in this Parliament and, if a sin-bin is created, I suggest that he and the Deputy Leader will be the first to go there. He said that it is time to clean up our own backyard. Why does he not start by cleaning up the backyard of the Opposition and get it to support the Government and the community of South Australia as we get on with the job? He claimed that people are sick and tired of politicians bickering and using Parliament as a vehicle for often unsubstantiated personal attacks. Journalist Alex Kennedy, in today's *City Messenger*, has attacked the Opposition for such unsubstantiated attacks. It is all right for Mr Rann to do it in Parliament, but he is quoted in the *Sunday Mail* as saying that no-one else has that right.

He went on to say that the Speaker is not bipartisan. That is an absolute slur on the Speaker. He said the Speaker should not be in the Party room. He claimed that the Speaker should be bipartisan. This Speaker is very bipartisan and calls the Government to order on equal occasions, but, of course, he does not have to call us to order as much because the Premier has control of the Government. The Premier does not create a rabbly atmosphere as does the Leader of the Opposition. He does not fabricate like the Leader of the Opposition. He does not run around in the press gallery during Question Time because he sits in Parliament making sure that at least 10 questions are asked. When the Leader of the Opposition was in the previous Government's Cabinet he would not do any of that.

South Australians are intelligent. They are showing that in the polls when one compares the rating of Mr Brown and Mr Rann as preferred Premier, and Mr Rann does not like it. He is trying to change his leopard spots and to project a positive image sometimes. I should like the media to hone in more at Question Time to show what the Leader of the Opposition does not do in this Chamber that he purports to do in the press, and let the people of South Australia see what he is all about. For the sake of this State, given that he was one of the senior members of the Government that caused an $8 billion debacle, the Leader of the Opposition would be better off to retire and let some new blood come in.

The ACTING SPEAKER: Order! The honourable member's time has expired. I remind the honourable member, and other members who are in their first Parliament, that it is incorrect to refer to an honourable member as 'he' or 'she'. In future, please refer to the honourable member by his or her correct title, that is, the member for whatever electorate he or she represents, or the Leader or Deputy Leader. When he looks at his speech tomorrow, the honourable member will realise how many times he used 'he' or 'she'. I would appreciate members abiding by those Standing Orders. I now call the member for Flinders.

Mr LEWIS: As I understand it, Sir, that impression of yours is mistaken. It is quite permissible to refer to an honourable member by the third person pronoun. It is not permissible to refer to members by their name but it is permissible to refer to them as 'he' or 'she' because the remark is addressed to you, Sir, in the Chair.

The ACTING SPEAKER: Order! For the benefit of the newer members, I have just given a ruling that I was taught when I came into the House, namely, that members must refer

to other members by their electorate name or title. The member for Flinders.

Mrs PENFOLD (Flinders): I wish to draw the attention of the House to yet another business success story from Kangaroo Island. Kangaroo Island was declared a Ligurian bee sanctuary in 1885, and it is believed to be the last remaining pure stock of this Italian strain anywhere in the world. In the mild island climate and with a plentiful supply of pollen and nectar, the bee population has expanded rapidly. The fight to keep products free from disease is ongoing, as shown by the fruit-fly outbreak in Queensland and suburban Adelaide. The geographical isolation of Kangaroo Island and the restriction of all honey, pollen, beekeeping tools and equipment being brought to the island ensure that Kangaroo Island apiarists can promote the purity of their honey and develop an export market for Ligurian queen bees.

Ligurian bees were imported to South Australia from Bologna, Northern Italy, in the early 1880s and were introduced to Kangaroo Island due to the efforts of the South Australian Beekeepers Association. The South Australian Government established a queen bee breeding station in Flinders Chase in 1944 but the hives were sold to island apiarists after the 1955 bushfires. The Ligurian bee is noted for its docility.

There are more than 1 100 managed hives on the island, with 24 registered beekeepers. In 1982 they formed a Kangaroo Island Beekeepers Association to maintain sanctuary status and achieve a high value, high quality sustainable apiary industry. Canola crops on the island are an added source of pollen, along with native sugar gums, mallee, cup and pink gums. Honey from canola candies quickly, so it makes an excellent creamed honey.

The Clifford family has taken another step and opened up its Honey Farm to tourists. David Clifford manages 150 hives and hopes to expand that to 200 by the end of the season. His honey was awarded prizes at the Royal Adelaide Show last year. At the Honey Farm, David and Jenny demonstrate the methods used in extracting honey from combs: 36 frames fit into the extractor, with each frame producing an average of two kilograms of honey. After filtering, the honey is sold locally and exported to Adelaide and Sydney. A shipment of Ligurian bee honey from Kangaroo Island is believed to have gone even to Italy—a coals to Newcastle achievement!

The wax is melted down and some sent to Auburn, South Australia, to be made into foundation sheets in setting up frames; and some wax is used by Sharon and Beverly Clifford to make candles. Wax sheets are also used to make rolled candles. These attractive candles are hand made and distributed to local card shops on the Fleurieu Peninsula.

Another facet of this expanding industry is the export of queen bees. These are exported in tiny gauze covered wooden boxes divided into three sections with room for the queen and eight drones. One section of the box is filled with a mixture of icing sugar and honey as food for the queen in transit. These have been sent interstate as far afield as Sweden, and inquiries about queen bee breeding have come from Tonga.

Apiarists on Kangaroo Island have set up a selective breeding program to maintain and improve the quality of the queens, and detailed records of this are being kept. For those beekeepers interested in improving their queen breeding lines, two best hives will be selected for inclusion in a joint breeding program. There is a further bee product called propolis. The bees collect this from the buds and bark of trees, change the structure and put it into their hives to fill any holes within the hive. The substance is anti-bacterial, so it not only keeps out the cold but also keeps the hives healthy. One health food shop in Adelaide buys this, and there have been inquiries from a Japanese company where samples have been forwarded for analysis. Further research on propolis is being conducted through the Department of Agriculture.

The Cliffords have a steady stream of tourists going through their demonstration shed, which contains an area set aside for honey and honey-related products. A very popular line is their home-made honey icecream and also honey nectar, a soft drink manufactured by Trend Drinks.

The Honey Farm is a family business, an extra income earner and a place where tourists can see honey production and learn the wider aspects of this business. Members of the Kangaroo Island Beekeepers Association care for the whole environment and have undertaken a 10 year project with a grant from the Wildlife Conservation Fund to protect the rare glossy black cockatoo nesting locations from competing bee swarms. This entails setting up trap hives with brood comb to which feral bee swarms can be attracted and then removed: 100 such hives have been set up, with beekeepers monitoring the traps in their area.

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

Ms GREIG (Reynell): Today I would like to inform the House of the official opening of Transitions Optical Inc, which took place only a month ago, on 19 February 1996. Mr Acting Speaker, you may recall that in January last year the Premier announced the establishment of a new lens manufacturing plant based at Lonsdale which would be supplying its product to the Asian region. Transitions Optical, a world leader in plastic lens technology, has developed its manufacturing facility at Lonsdale, employing 20 people in the plant. The plant itself produces plastic lenses with a tint that adjusts to sunlight, a product developed by Transitions Optical.

The new plant is a welcome addition to the State's high tech manufacturing base, and even more so a welcome addition to the industrial areas of Adelaide's outer southern suburbs. Lonsdale, I believe, has become the southern hemisphere's major lens producer. Transitions Optical has invested several million dollars alongside of the Sola Optical complex on Sheriffs Road, Lonsdale, to manufacture the world's first plastic prescription lenses with tinting.

It would be remiss of me not to acknowledge the work of John Bastian, Managing Director of Sola Optical, for the part he played in encouraging Transitions Optical to open its plant here in South Australia when its original decision was to open a manufacturing base in Asia. The reasons that convinced Transitions Optical that South Australia was the better manufacturing base was our reputation for quality, our skilled work force and a better lifestyle—I guess a lifestyle that so many of us take for granted.

Transitions Optical started operating in Lonsdale around August last year. Except for a few specialists from the United States, most of the 20 workers working one shift are local people. I think it is also significant to add that, in addition to Transitions Optical's employment boost to the south, we have seen the flow-on effect at Sola Optical with an extra 20 positions created there to work with the product made by Transitions Optical. I believe that Transitions Optical is eventually hoping to have three shifts at full production, creating a total of 100 jobs.

It is important to note, when we look at the growth in the optical industry and growth in local jobs, that Sola Optical, a company producing 70 000 lenses a day, tells me that 90 per cent of its workers live in Morphett Vale, Reynella and Christies Beach. Transitions Optical was established in 1990 as a joint venture between two industry giants, the United States chemical corporation PPG Industries and the world's largest optical company, Essilor International of France. In less than five years, the company has achieved worldwide sales of more than $135 million.

I also want to acknowledge the key role played by MIDSBAR in helping to attract Transitions Optical to Adelaide. I am aware that Transitions Optical President, Mr Richard Elias, not only acknowledges the tremendous marketing opportunities in Australia for his company's lenses but he was appreciative of the cooperation given to his company by our Government through MIDSBAR. Finally, I want to congratulate Bart Bullock and his Transitions Optical team for making their home at Lonsdale. I welcome Transitions Optical to my electorate and wish it a prosperous future in our southern heartland.

Mr CLARKE (Deputy Leader of the Opposition): My grievance today concerns the former Nailsworth High School site at Regency Road, Enfield. That high school was closed at the beginning of this year, with the amalgamation determined by the State Government between the former Northfield High School and the Nailsworth High School to create the Ross Smith Secondary School.

I wrote to the Minister for Education and Children's Services last Friday requesting that the Government set aside the eastern oval of the former Nailsworth High School site. For those members who may not be familiar with that district, it is mainly built up residential area. There are very few open parkland spaces, unlike many of the newer suburbs in the south, north-east and north, where (if I could term it) more sensitive planning controls have come into operation over the years and where there are adequate playing and sports fields for the general public. In many inner-suburban areas the same enlightenment on urban planning was not there at the commencement, and basically there are far too few ovals and parklands for the use of the local community.

The former Nailsworth High School site is one of those few sites left which is available in such an inner-suburban area and which can be saved at this time for the enjoyment of the community. Under the current laws, something like 12½ per cent of the land, if it is turned into residential use, has to be set aside for recreation parkland use. That is not sufficient to save at least one of the two ovals at the former Nailsworth High School site. The Enfield council (now the Port Adelaide Enfield council) has bought the school gymnasium, which is on the eastern side of the former school. That would neatly abut the eastern oval of the school and would be an invaluable recreational area to be set aside for the general community.

Other schools could also use such a facility, including Our Lady of Sacred Heart College which is on Regency Road and which has a very small playground area for its students. The eastern oval could be used for sports such as softball and hockey, whereas at present the students play their home games on someone else's oval. The character of the area itself is changing through the gradual evolution of many of the families who have lived in the district for many years; the families of returned servicemen have grown up and moved out of the area and those persons now living in the area are at an age where they are looking to go into retirement homes or retirement villages. Newer and younger families are now moving into the area.

My plea to the Minister for Education and Children's Services is that, whilst I appreciate that the Government, and a Government department such as Education and Children's Services, wants to sell as much land as it can and return the proceeds to the Education Department, this is a very valuable resource that once gone will never be regained. In the northern areas we have many problems with our youth who do not have enough to do because there are inadequate sporting complexes within my electorate.

I know that the Enfield council would certainly welcome a decision by the Education and Children's Services Department to set aside the eastern oval of the former high school site and combine it with the gymnasium and that the council would look after that area in perpetuity for all the community. I will certainly be making further strong representations to the Minister on this matter. I have received representations from the local Neighbourhood Watch organisation in the area, as well as from a number of individual constituents who have come to see me about this problem. I only hope that the Minister is able to see his way clear with respect to this matter.

In conclusion, I point out that the amalgamation process between the two high schools has not been as smooth as I would like. It has been a magnificent job by the students and staff but stymied in many instances by the lack of resources allocated by the Minister.

Mr MEIER (Goyder): I take this opportunity to congratulate John Howard and the new Coalition Government on taking office in Canberra. I believe that we are already seeing some of the problems that they will have to tackle in the coming years. Let us hope that they will not be frustrated by a hostile Senate on all occasions. One of the more pleasing aspects of the recent Federal election is not only the addition of two more liberal MPs to the House of Representatives but also the fact that the Labor vote fell in various areas. I noted that the vote fell in the electorate of Ross Smith, which is held by the Deputy Leader of the Opposition.

Mr Atkinson: What about Spence?

Mr MEIER: The member for Spence has interjected. Yes, I would acknowledge that the member for Spence is a very conscientious and hardworking member, and I believe that the vote there held or went up. I guess much of that is in no small part due to the member for Spence. I give credit where credit is due. However, in 1993 the member for Ross Smith won his seat only on Australian Democrat preferences. It is interesting that the member for Ross Smith decided during this Federal election to turn it into a mini State issue campaign.

The member for Ross Smith sent letters to voters on issues ranging from housing to water and from health to education, all warning voters not to vote Liberal. I note that the Deputy Leader tried to scare people into believing that a Liberal Government would privatise everything. He sent a letter to some neighbours—I do not know how many, but obviously a few hundred, may be even a few thousand. The letter was headed:

> The Brown Liberal Government lied. Why wouldn't John Howard?

That letter reads:

> Dear neighbour, over the past two years the Brown Liberal Government has broken every major election promise.

He then refers to the so-called privatising of our water supply; taking money from the State health budget; the so-called privatising of our hospitals; and education funding. Before dealing with those matters in greater detail, I remind the Deputy Leader that our key election promises were as follows:

1. To reduce the State debt—which the previous Labor Government had created.
2. To create jobs.
3. To restore economic confidence in this State.

I would say that we certainly have not and are not breaking any promises: we are well on track to reduce the debt. I believe the figures by the end of this financial year may show a debt reduction in excess of $1 billion. We have created many jobs and have assisted companies—because it is not governments that create jobs but businesses. We have sought to restore economic confidence in this State—which is our third major commitment—so that people have a greater opportunity to employ people. It is heartening to see that the unemployment rate has dropped and that there are many more thousands of people employed in this State. It does upset me that the member for Ross Smith alludes to factors such as this:

> Our former excellent public hospitals which cater for most people who cannot afford private health insurance are now being privatised.

The member for Ross Smith should know that that is not the case. The hospitals are being outsourced; certainly a private company is running the management of the hospitals, but the Government still owns the buildings and everything in them. It is still free hospital care for those who are eligible for it. I find it incredible that members opposite want to run down those hospitals that are being run by the private sector—hospitals such as Ashford, St Andrews and Calvary. What is their standard of service? It is absolutely excellent. We are talking about Government hospitals that will be outsourced to the private sector but which will still offer excellent health care.

PUBLIC WORKS COMMITTEE

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

That Mr Lewis be appointed to the committee in place of Mrs Hall, resigned.

Motion carried.

EVIDENCE (SETTLEMENT NEGOTIATIONS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

This bill amends Section 67c of the *Evidence Act, 1929*. Section 67c protects the confidentiality of private dispute resolution. It provides that evidence of a communication made in connection with an attempt to negotiate the settlement of a civil dispute, or of a document prepared in connection with such an attempt, is not admissible in any civil or criminal proceedings except in the circumstances set out in section 67c(2). Section 67c(2) provides that such evidence is admissible in a variety of circumstances, for example, where the parties consent to its being admitted, where the evidence has been disclosed with the consent of the parties or where the communication was made in the furtherance of the commission of an offence. Section 67c(2)(e) provides that such evidence is admissible where is relates to an issue in dispute and the dispute, so far as it relates to that issue, has been settled or determined.

The rationale for the protection of evidence of communications made in connection with an attempt to negotiate the settlement of a dispute is founded on the public interest in encouraging those in dispute to settle their differences rather than litigate them to a finish. Settlement negotiations are encouraged by protecting a party from the use against the party of concessions made in the course of such negotiations. Disputing parties should not be discouraged from making concessions by the knowledge that anything said in the course of negotiations might be used to their prejudice.

In the course of the *State Bank of SA v Smoothdale No 2 Ltd & Anor* litigation the scope of section 67c(2)(e) came into question. The question was whether the statutory protection survives the settlement of a dispute, so that things said and done in the course of successful negotiations must be revealed, and can be used as evidence, in proceedings involving parties other than, or additional to, the original disputing parties.

The Supreme Court, in a judgment delivered on 13th December, 1995, held that the effect of section 67c(2)(e) is that once a dispute has been settled any claim of privilege for communications or documents in connection with those successful negotiations ends. This interpretation of section 67c(2)(e) is arguably narrower than the common law and may inhibit settlement negotiations. Frank negotiations will be discouraged if parties to the negotiations know that communications made in the course of settlement of a dispute may be used in any subsequent litigation connected with the same subject matter.

This bill repeals the existing section 67c(2)(e). It is to be noted that the *New South Wales* and *Commonwealth Evidence Acts* provisions, on which section 67c(2)(e) is based, do not have a provision similar to section 67c(2)(e).

The opportunity has also been taken to include a provision which makes it clear that evidence of communications made in the course of settlement negotiations can be adduced in proceedings to enforce an agreement to settle a dispute or proceedings in which the making of such an agreement is in issue. Such a provision reflects the common law and needs to be included here for completeness. This new provision is inserted in place of the repealed section 67c(2)(e).

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 67c—Exclusion of evidence of settlement negotiations

Clause 2 provides that evidence of settlement negotiations is admissible in proceedings to enforce a settlement agreement or proceedings in which the making of such an agreement is in issue. The previous paragraph under which evidence of settlement negotiations becomes generally admissible once settlement has been reached is removed.

Clause 3: Application of amendment

Clause 3 provides that the amendment applies to proceedings commenced before or after the commencement of the amending Act but does not affect any order made before the commencement of the amending Act.

Mr ATKINSON secured the adjournment of the debate.

COUNTRY FIRES (AUDIT REQUIREMENTS) AMENDMENT BILL

The Hon. W.A. MATTHEW (Minister for Emergency Services) obtained leave and introduced a Bill for an Act to amend the Country Fires Act 1989. Read a first time.

The Hon. W.A. MATTHEW: I move:

That this Bill be now read a second time.

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

Leave granted.

The purpose of this Bill is to amend the *Country Fires Act 1989* in order to remove an anomaly which requires the Auditor-General to audit the accounts of all CFS organisations.

Prior to the introduction of the 1989 Act the Auditor-General was required to audit the accounts of the CFS Board only.

The Crown Solicitor has advised that the manner in which the audit requirements were worded in the 1989 Act has resulted in an

obligation upon the Auditor-General to audit the CFS Board as well as the 77 Groups and 450 brigades which make up the volunteer element of CFS.

It is clear that the intent of the legislation was for the Auditor-General to audit the accounts of the CFS Board only and it is obviously impractical for the Auditor-General to audit all CFS organisations.

Since this anomaly was first raised in 1992, the Auditor-General has been seeking an amendment to the Country Fires Act. I am pleased to be able to implement this change which for some reason was unable to be brought to the House by the previous Government.

I commend the Bill to Honourable Members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 21—Accounts and audit

This clause amends section 21 of the principal Act. Section 21 currently requires the Country Fire Service Board to cause proper accounts to be kept of the financial affairs of 'the C.F.S.' (which includes the Board, the C.F.S. organisations and all C.F.S. officers, employees and voluntary workers). The Auditor-General is, under subsection (3), required to audit 'the accounts'.

This amendment makes it clear that the Auditor-General is only required to audit the accounts of the Board and not those of each C.F.S. organisation. The amendment requires the accounts of the organisations to be audited in accordance with the regulations.

Mr CLARKE secured the adjournment of the debate.

STATUTES AMENDMENT (ABOLITION OF TRIBUNALS) BILL

Second reading.

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

That this Bill be now read a second time.

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

Leave granted.

Consistent with the Government's policy to rationalise the multiplicity of courts and tribunals and the consequential costs of duplication, this Bill transfers the jurisdiction of certain administrative tribunals to the Administrative and Disciplinary Division of the District Court. Specifically:

- the statutory jurisdiction conferred on the South Australian Metropolitan Fire Service Appeals Tribunal by the *South Australian Metropolitan Fire Service Act 1936;*
- the statutory jurisdiction conferred on the Tobacco Products (Licensing) Appeal Tribunal by the *Tobacco Products (Licensing) Act 1986*;
- the statutory jurisdiction conferred on the Towtruck Tribunal by the *Motor Vehicles Act 1959.*

These Tribunals have been identified as being appropriate to transfer to the Administrative and Disciplinary Division of the District Court on one or more of the following grounds:

(1) The Tribunal is constituted of one or more District Court Judge;
(2) The Tribunal is exercising an appellate jurisdiction in relation to a disciplinary decision; and\or
(3) The Tribunal is exercising an appellate jurisdiction in relation to an administrative decision.

The South Australian Metropolitan Fire Service Appeals Tribunal is presently constituted of a Chairman (being a District Court Judge) and three other nominees. The Tribunal exercises an appellate jurisdiction in relation to disciplinary decisions of the Metropolitan Fire Service Disciplinary Committee and Chief Officer.

The Tobacco Products (Licensing) Appeal Tribunal is presently constituted of any one of the District Court Judges. The Tribunal exercises an appellate jurisdiction in relation to an administrative decision of the Commissioner affecting an aggrieved person.

The Towtruck Tribunal is presently constituted of three members one of whom must be a District Court Judge. The Tribunal is empowered to inquire into a complaint made against a person and where proper cause exists take disciplinary action against the person.

The Towtruck Tribunal also exercises an appellate jurisdiction in relation to an administrative decision or order of the Registrar made under the accident towing roster scheme affecting an aggrieved person.

The transfer of these statutory jurisdictions to the Administrative and Disciplinary Division of the District does not in any way derogate from a person's rights of appearance, representation or appeal. The status quo is maintained. Where a Tribunal is presently constituted of a District Court Judge and other prescribed persons, for example a nominee of a union or an employee—this representation has been maintained by providing for the appointment and selection of assessors pursuant to section 20(4) of the *District Court Act 1991.* Rights of appeal against a decision are also preserved by application of section 43(3) of the *District Court Act 1991.*

Due to amendments to the Bill passed in the other place, the statutory jurisdiction conferred on the Soil Conservation Appeal Tribunal by the *Soil Conservation and Land Care Act 1989* and the statutory jurisdiction conferred on the Pastoral Land Appeal Tribunal by the *Pastoral Land Management and Conservation Act 1989*, which the Government intended to pass to the Administrative and Disciplinary Division of the District Court for the reasons outlined above, have been transferred to the Environment, Resources and Development Court.

The Soil Conservation Tribunal is presently constituted of a District Court Judge and two other members nominated by the Minister. The Tribunal exercises an appellate jurisdiction in relation to administrative decisions of a soil conservation board or the Conservator affecting an owner of land.

The *Pastoral Land Management and Conservation Act 1989* provides for the Pastoral Land Appeal Tribunal to be constituted of a District Court Judge and two experts chosen by the Judge. The Tribunal exercises an appellate jurisdiction in relation to an administrative decision of the Pastoral Board affecting a lessee.

The Government advises the House that it will seek to move amendments to the Bill to restore the Bill to its original form prior to its amendment in the other place.

I commend this Bill to the House.

PART 1—PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

This clause provides that a reference in this proposed Act to the principal Act is a reference to the Act referred to in the heading of the Part in which the reference occurs.

PART 2—AMENDMENT OF MOTOR VEHICLES ACT 1959

The amendments to the *Motor Vehicles Act* are designed to do away with the Towtruck Tribunal and to transfer that Tribunal's jurisdiction to the Administrative and Disciplinary Division of the District Court (District Court). The current Tribunal has jurisdiction to discipline towtruck operators and others holding certificates to operate towtrucks and also to review decisions of the Registrar in relation to the towtruck roster scheme. Its disciplinary jurisdiction is similar to the jurisdiction exercised by the District Court in respect of other occupational groups and amendments proposed to the principal Act will achieve a measure of conformity with other legislation. Other changes proposed are consequential on transferring functions from a tribunal to a court.

Clause 4: Amendment of s. 5—Interpretation

The definition of the Tribunal is removed.

Clause 5: Amendment of s. 98c—Interpretation

The definition of District Court meaning the Administrative and Disciplinary Division of the District Court is inserted.

Clause 6: Substitution of ss. 98pc to 98pg

98pc. Cause for disciplinary action

Disciplinary action may be taken against a person who holds or who has held a towtruck certificate or a temporary towtruck certificate if—

- the certificate of the person was improperly obtained;
- the person has contravened or failed to comply with a provision of the principal Act;
- the person has contravened or failed to comply with a condition of the certificate;
- the person has contravened, or failed to comply with, a provision of the *Radiocommunications Act 1992* of the Commonwealth, or an Act of the Commonwealth enacted in substitution for that Act;
- the person has been convicted, or found guilty, of an offence involving dishonest, threatening or violent behaviour or involving the use of a motor vehicle;

- the person has been guilty of another act or default of such a nature that, in the opinion of the District Court, disciplinary action should be taken against the person.

If a person has expiated an offence that attracts demerit points under the principal Act, the person will be taken, for the purposes of disciplinary proceedings, to have been convicted of the offence. It is proposed that this new section will apply in relation to conduct occurring before or after the commencement of this new section.

New section 98pc is the equivalent of current section 98pd(3) and (4).

98pd. Complaints

An inspector or any other person may lodge with the District Court a complaint setting out matters that are alleged to constitute grounds for disciplinary action under Part IIIC of the principal Act. This new section replaces current section 98pd(1).

98pe. Hearing by District Court

On the lodging of a complaint, the District Court may conduct a hearing for the purpose of determining whether the matters alleged in the complaint constitute grounds for disciplinary action.

98pf. Participation of assessors in disciplinary proceedings

In any proceedings under Part IIIC of the principal Act, the District Court will, if the judicial officer who is to preside at the proceedings so determines, sit with assessors selected in accordance with the fifth schedule. This allows for the District Court to utilise the expertise of persons in the motor trade industry and towtruck industry. This is instead of current section 98pc which provides for such persons to sit as members of the Tribunal.

98pg. Disciplinary action

If the District Court decides that there is proper cause for disciplinary action to be taken against a person, it may—

- reprimand the person;
- impose a fine not exceeding a division 9 fine;
- in the case of a person who holds a towtruck certificate or temporary towtruck certificate —suspend or cancel the certificate;
- disqualify the person from holding a towtruck certificate or temporary towtruck certificate under the principal Act.

The District Court may stipulate that—

- a disqualification is to apply permanently;
- a suspension or disqualification is to apply for a specified period, until the fulfilment of stipulated conditions or until further order;
- an order relating to a person is to have effect at a specified future time.

This section is equivalent to current section 98pd(1) and (2).

98pi. Appeals

A person may appeal to the District Court against a decision or order of the Registrar under the accident towing roster scheme. The District Court may, on the hearing of an appeal—

- affirm the decision or order appealed against or rescind the decision or order and substitute a decision or order that the Court thinks appropriate;
- make any other order that the case requires (including an order for costs).

This new section has substantially the same effect as current section 98pe.

Clause 7: Insertion of s. 139e

139e. Protection from civil liability

No civil liability is incurred by the Registrar, a member of the committee or any person engaged in the administration of the principal Act for an honest act or omission in the exercise or discharge, or purported exercise or discharge, of a power, function or duty under this Act. A liability that would, but for proposed subsection (1), lie against the person lies instead against the Crown. This new section replaces current section 98pg.

Clause 8: Insertion of fifth schedule

FIFTH SCHEDULE—Appointment and Selection of Assessors for District Court Proceedings under Part IIIC

This schedule provides for the appointment and selection of assessors for the purposes of District Court proceedings under Part IIIC of the principal Act.

PART 3—AMENDMENT OF PASTORAL LAND MANAGEMENT AND CONSERVATION ACT 1989

Clause 9: Amendment of s. 3—Interpretation

This removes the definition of the Pastoral Land Appeal Tribunal.

Clause 10: Amendment of s. 32—Resumption of land

References to the Tribunal are replaced by references to the Environment, Resources and Development Court.

Clause 11: Repeal of Part VII Division I

This Division provides for the establishment of the Tribunal and its powers and procedures. As one of the purposes of this Bill is to transfer the jurisdiction of the Tribunal to the Environment, Resources and Development Court, it is proposed to repeal this Division.

Clause 12: Amendment of heading of Part VII Division II

The reference to the Tribunal in the heading is replaced by a reference to the Environment, Resources and Development Court.

Clause 13: Amendment of s. 54—Appeal against certain decisions

References to the Tribunal are replaced by references to the Environment, Resources and Development Court and provision is made for the Court to be constituted of a Judge and two commissioners (one with practical knowledge of, and experience in, the use and management of land used for pastoral purposes and the other with practical knowledge of, and experience in, the conservation of pastoral land). This is instead of current section 50(2) which provides for persons with expertise in such fields as the Governor considers appropriate to sit as members of the Tribunal.

Clause 14: Amendment of s. 55—Operation of decisions pending appeal

The reference to the Tribunal is replaced by a reference to the Environment, Resources and Development Court.

Clause 15: Amendment of s. 68—Evidentiary provision

This clause makes a consequential amendment.

PART 4—AMENDMENT OF SOIL CONSERVATION AND LAND CARE ACT 1989

Clause 16: Repeal of Part V Division I

In this Division, the Soil Conservation Appeal Tribunal is established and its powers and procedures provided for. As one of the purposes of this Bill is to transfer the jurisdiction of that Tribunal to the Environment, Resources and Development Court, it is proposed to repeal this Division.

Clause 17: Repeal of heading to Part V Division II

As Division I of Part V has been repealed, the heading to Division II has become redundant and hence is to be repealed.

Clause 18: Amendment of s. 51—Appeals

Clause 19: Amendment of s. 52—Operation of decisions pending appeal

References to the Tribunal are replaced by references to the Environment, Resources and Development Court.

Clause 20: Insertion of s. 52A

52. Constitution of Court

In any proceedings under this *Pastoral Land Management and Conservation Act 1989* the Environment, Resources and Development Court will be constituted of a Judge and two commissioners (one with practical knowledge of, and experience in, land care or management and the other with practical knowledge of, and experience in, environmental protection or conservation, or agricultural development). This is instead of current section 47(2) which provides for such persons to sit as members of the Tribunal.

PART 5—AMENDMENT OF SOUTH AUSTRALIAN METROPOLITAN FIRE SERVICE ACT 1936

Clause 21: Amendment of s. 5—Interpretation

Obsolete definitions of Tribunal and Senior Judge have been deleted and the definition of District Court (*i.e.* Administrative and Disciplinary Division of the District Court) inserted.

Clause 22: Substituting of heading to Part II

The headings to Part II and Division I of Part II are no longer appropriate. They are repealed and an appropriate heading to the Part is substituted.

Clause 23: Repeal of Part II Division II

This Division established the South Australian Metropolitan Fire Service Appeals Tribunal. This Bill proposes to transfer this Tribunal's jurisdiction to the District Court and so this Division is, as a consequence, to be repealed.

Clause 24: Amendment of s. 40a—Procedures in relation to appointments

References to the Tribunal are replaced by references to the Administrative and Disciplinary Division of the District Court.

Clause 25: Insertion of ss. 40B to 40D

40B. Representation of parties and costs

In any proceedings before the District Court on an appeal under Part V Division I of the principal Act (*ie:* dealing with appeals in relation to appointments to positions in the fire service)—

- an appellant will be entitled to appear personally or to be represented by a member of an industrial association to which the appellant belongs or by a legal practitioner;
- the Corporation will be entitled to be represented by the Chief Officer or by one of its other officers, or, if an appellant is represented by a legal practitioner, the Corporation may also be represented by a legal practitioner.

The District Court may, in proceedings before it under Part V Division I, award costs against the Corporation but may not award costs against an appellant.

This new section is the equivalent of current section 21(3), (4) and (5) and section 22.

40C. Self-incrimination

A person is not excused from answering any question or producing a book (which is defined in section 5 of the principal Act), if required to do so by the District Court in proceedings under Part V Division I, on the ground that the answer or book might tend to incriminate the person. Such an answer given or book produced by a person is not admissible against the person in any criminal proceedings (other than proceedings for perjury).

This new section has the same substantive effect as current section 20(6).

40D. Participation of assessors in appeals against nominations for appointments

In any proceedings under Part V Division I of the principal Act, the District Court will sit with assessors selected in accordance with the new schedule.

Clause 26: Amendment of s. 52d—Suspension pending hearing of complaint

Clause 27: Amendment of s. 52e—Appeals

References to the Tribunal are replaced by references to the Administrative and Disciplinary Division of the District Court.

Clause 28: Insertion of ss. 52F to 52H

52F. Representation of parties and costs

This new section is identical to new section 40B.

52G. Self-incrimination

This new section is identical to new section 40C.

52H. Participation of assessors in appeals

This new section is identical to new section 40D.

These 3 new sections are required to be repeated in respect of appeals against penalties imposed on officers or firefighters by the Chief Officer or Disciplinary Committee in relation to disciplinary matters.

Clause 29: Insertion of schedule

SCHEDULE—Appointment and Selection of Assessors for District Court Proceedings under Part V or VA

This new schedule provides that the Minister must establish 3 panels appointed—

- from persons nominated by the Chief Officer;
- from officers nominated by the Union;
- from firefighters nominated by the Union.

The judicial officer who is to preside at the proceedings must select—

- one member from the panel made up of persons nominated by the Chief Officer; and
- if the appellant is an officer—one member from the panel made up of officers nominated by the Union; or
- if the appellant is a firefighter—one member from the panel made up of firefighters nominated by the Union,

to sit with the Court in the proceedings. This is instead of current section 16 which provides for such persons to sit as members of the Tribunal in similar circumstances.

PART 6—AMENDMENT OF TOBACCO PRODUCTS (LICENSING) ACT 1986

Clause 30: Amendment of s. 21—Appeals

Subsections (1) to (4) of section 21 are struck out as these provide for the establishment of a tribunal for the purposes of the *Tobacco Products (Licensing) Act* and the existence of a Registrar of the tribunal. References to the tribunal in the remaining subsections are replaced by references to the Administrative and Disciplinary Division of the District Court.

A new subsection is inserted that provides that except as determined by the District Court, an appeal is to be conducted by way of a fresh hearing.

Mr ATKINSON secured the adjournment of the debate.

ELECTORAL (DUTY TO VOTE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 February. Page 912.)

Mr ATKINSON (Spence): Our opposition to this Bill is both principled and practical. It is principled because Labor believes that compulsory voting is good for the civic culture of our State. It is practical because at this stage in the State's political history Labor needs to defend the electoral interests of the Australian Democrats who stand between the Liberal Party and control of the Upper House. The Australian Democrats would be ruined by voluntary voting. The Australian Labor Party can, at the polls, withstand voluntary voting. From a purely electoral viewpoint, the British Labour Party is happy with voluntary voting in Great Britain.

Compulsory voting has been part of Australia's political system for most of this century. It started in Queensland in 1915 and spread to the Commonwealth in 1925, and South Australia was the last State to adopt it, in 1942. In each case compulsory voting's introduction had bipartisan support. I remind members that the Nationalist-Country Party Government of Stanley Melbourne Bruce ruled Australia in 1925; South Australia in 1942 was governed by the Liberal and Country League administration of Thomas Playford.

Our Premier makes much of the Playford inheritance. The Liberal Party in the State election of 1993 produced a video about the merits of the Playford era and the need to return to the thrift, honesty and collective purpose of the Playford years. Many older South Australians remember Sir Thomas Playford's record term of office with nostalgia, and I am sure the Deputy Premier would be one of those; if I am not mistaken, he may have worked briefly for Sir Thomas Playford. I enjoyed watching the video I mentioned earlier at the Liberal Party's royal show stall, because I think that Sir Thomas Playford's administration had many virtues, one of which was creating a good civic culture in South Australia. South Australians were encouraged to have a common purpose and to take responsibility during the Playford era. A small part of that was the requirement introduced by Parliament during some of the most difficult months of the Second World War, in late 1942, that South Australians be required to report to a polling booth at the triennial State election to have their name crossed off the electoral roll and accept a ballot paper.

Since voting was and remains secret, voters could not be compelled to vote formally or in any particular way. The penalty for not reporting to a polling booth was a small fine, as it still is. Sir Thomas Playford, were he resurrected for this debate, would find the liberalism of this measure precious. As the honest conservative he was, he would ask why it was necessary for the third time in a single Parliament to try to release from a small civic duty the shirkers and nuts who would take advantage of this Bill. Playford's Attorney-General (Hon. Shirley Jeffries) put the Government case well. He told the House:

> I cannot agree that people should not be compelled to do things which this Parliament considers are in the interests and welfare of the Government of the country. It seems to me there is a responsibility on every citizen to take part in the Government, and if he does not do it voluntarily pressure should be brought to bear to see that he does. It is regrettable that electors should be compelled to vote, but it seems that it is absolutely necessary.

The then Labor Leader, Hon. Bob Richards, said:

> Every person who believes in the democratic system of Government and wants to enjoy all the benefits of such a system should be asked to share their part of the responsibility of electing members to this or another place. People are compelled to subscribe to all manner of things which, if left to their own choice, they would not subscribe. Why do we do that? It is a social responsibility.

I enjoyed reading the 1942 debate because it was refreshing to hear the voices of the wartime generation, the voices of people before the 'Me' generation of the 1960s and 1970s. When I speak of the 'Me' generation, I speak of people such as President Clinton and the member for Elder, whose clamour for self-fulfilment has drowned out the voices of people who valued civic virtue and sacrifice for the public good. The member for Elder is part of the 'Me' generation. His motto is, 'If it feels good, do it', and he is in this place to give political expression to that slogan. However, in this case, if it does not feel good, do not do it. As the Liberal member for Prospect, Mr Whittle, said during the 1942 debate:

> Unfortunately, it has been evident at State elections that the public do not apparently appreciate the right and privilege of sending representatives to Parliament and consequently they neglect to exercise their franchise.

If I may interpolate, the turnout for South Australian elections had fallen to 50 per cent at that time. The member for Prospect continued:

> Yet these same people are generally among the most self-assertive critics of our Parliament.

Members opposite cast themselves as great defenders of the Federation. Not for them the unitary designs of our former Prime Minister the Hon. Paul Keating. The Liberal Party is always deploring the Commonwealth's trespassing on States' rights and the fiscal imbalance between the Commonwealth and the States whereby the Commonwealth raises most of the country's tax and then gives it back to the States with impertinent messages about how to spend it. Indeed, the Premier spoke on this very thing today in Question Time. The new Prime Minister (Hon. John Howard), whom I congratulate on his smashing electoral success, has promised to remake the Federation so that the standing of the Australian States is enhanced.

I ask you, Mr Acting Speaker, what greater blow could there be to the standing of the State of South Australia alongside the Commonwealth on one side and local government on the other than for fewer than 50 per cent of eligible voters to bother to cast a vote in a State general election? The cry for the States to be done away with would grow louder in these circumstances. I suggest that voluntary voting for State elections would mean the States not being taken seriously by South Australians; it would mean State election campaigns not receiving much media coverage; it would result in the counting of a State general election being displaced from Saturday evening television by *Gladiators* and *The Bill*; and the result of the election being reported as a minor item on late-night news.

Moreover, if we had voluntary voting and a low turnout it would be insufferable to hear the losing Party whingeing about the winning Party or its candidates not having a mandate because they were supported by only 40 per cent, 30 per cent or 20 per cent of the eligible voters. We hear this pathetic excuse after every election in countries with voluntary voting, such as the United Kingdom and the United States of America. It undermines the legitimacy of the elected Government.

The Hon. S.J. Baker interjecting:

Mr ATKINSON: The Deputy Premier asks whether I have looked at the figures. Yes, I have. I am an Anglophile and I read the British press weekly, so I am familiar with the figures in British general elections and with the results in biennial United States congressional elections. The truth of the matter is that the turnout in United States congressional elections has fallen below 50 per cent. That is where it has gone.

Because of the requirement under the Electoral Act of compulsory attendance at a polling booth, introduced during the longest period of Liberal rule this State has ever had, more than 95 per cent of eligible South Australians participate in the election of the State Parliament. The Australian Labor Party thinks that is a good thing. The home truth about the Bill is that the Liberal Party thinks that figure is too high. The political reward for which the Liberal Party is aiming in the Bill would occur only a few State elections after the Bill became law, when the turnout for the State election was driven below 50 per cent, for that is the turnout the Liberal Party thinks would give it the biggest electoral advantage over my Party. In the 1942 debate, the Liberal member for Prospect said:

> The feeling has grown up among a certain section of the public in South Australia that because they are not compelled to vote at State elections, they can look upon the State Parliament as something of secondary importance. When canvassers call upon people, the first question generally asked is, 'Do we have to vote?' and, if told that they have not, their interest seems to wane immediately.

This is as true today as it was in 1942. It is the reason why turnout for South Australian local government elections, for which voting is voluntary, is down to 17 per cent. The apathy about and misunderstanding of local government by the constituents with whom I deal is frightening. I can only assume that the Liberal Party wants to do the same for the State Government so it can get on with the back room deals that now comprise governance in South Australia and Victoria. The Liberal Party is committed to diminishing public participation in governing this State, starting with general elections. Members opposite should reflect on the fact that in 1942 it was the State Council of the Liberal and Country League—yes, the extra-parliamentary Party—which, by a two-thirds majority, commanded the Parliamentary Liberal Party to support compulsory voting for State elections.

In the second reading explanation, the Deputy Premier said that 19 people have been imprisoned for a period of two to three days for failing to pay the fine imposed for not voting. The Liberal Party is desperate for this measure to become law. It thinks it can grasp a major electoral advantage over the Opposition and the Australian Democrats by driving down the turnout in State elections, and that this might lead to its ruling South Australia indefinitely. Oh, happy day! That being so, Mr Acting Speaker, would you not think that the Liberal Government's dozen or more full-time spin doctors would have produced for the television cameras these 19 principled Liberals who nobly refused to participate in the civic life of the State and who were repressed as a result? Why have we not seen them on television? I suspect that the reason is that they are not noble Liberals and that their being interviewed about the Bill would reflect badly on it, showing it for what it is—selfishness and shirking.

On the very day that the Liberals opposite us are celebrating—Saturday 2 March—the *Weekend Australian*, a national newspaper, published a leading article or editorial under the

heading 'Compulsory vote serves democracy'. In it the *Australian* editorial writer stated:

> Australia is one of the world's strongest democracies. This strength is due, in no small part, to compulsory voting. Without it, our political institutions would be diminished.

The writer went on:

> . . . there is a pool of disenchantment about Government and politicians. There is, in fact, a growing crisis concerning faith in our democratic institutions. The upshot is an alienation so ingrained that some people would rather abstain than vote informal. The solution lies not in changing our system to voluntary voting. The real challenge is for our politicians to address the issues of credibility and integrity. This means being disciplined enough to promise only what can be delivered and being firm enough to deliver what has been promised. There is some support within the Liberal Party for the abolition of compulsory voting. It is to be hoped that any Liberal Government does not move in this direction. Australians have every right to be proud of a voting system which has delivered stability for so long.

That was the opinion of the *Australian*. Another point was made in that editorial upon which I want to dwell by way of concluding my speech. Speaking of compulsory voting, the writer stated:

> It also means that politicians must appeal to the entire community, not just those who choose to vote.

He went on:

> The fact that 50 per cent of adult Americans don't vote means that politicians don't have to address the issues and priorities which concern such people. In Australia, we have come to accept that compulsory voting is part of our wider civic obligations.

I want to dwell on the pernicious effect on campaigning that voluntary voting would have if it were introduced in our State. I want to talk about polling and targeting of voters and I will refer to an article to which I referred in at least one of the previous debates on this theme. The article, which is entitled 'Voters in the crosshairs: how technology and the market are destroying politics' and which was published in the United States, states:

> Polling enabled politicians to learn voter opinions without attending to constituency leaders or the voters themselves. It became possible to 'know' the electorate without having a relationship with it.

Members interjecting:

Mr ATKINSON: There seems to be some support in the House for this concept of not getting to know the voters. Sir, as someone who rides his bicycle around in hot weather, mild weather and in the rain, visiting new constituents in my electorate each weekend, I find that repugnant. The article continues:

> Targeting is a process of excluding people who are not 'profitable' to work, so that resources are adequate to reach prime voters with enough intensity to win them. Targeting provides the ultimate 'lift' to the voter contact process, allowing maximum concentration of resources to a minimum universe.

The writer goes on:

> Information on each of these subgroups is matched with polling data, and the campaign messages are developed to deliver. . . different—and compelling—truths to those various segments. Instead of a single campaign with a single theme that unifies a candidate's supporters, parallel campaigns emerge, each articulating themes narrow enough to appeal to the peculiar characteristics of each sub-constituency.
>
> In a recent California Assembly campaign, for example, the married Catholic homeowners learned that the candidate supported family values, while single Jewish women under age 40 found that the candidate had been consistently pro-choice.

Towards the end of the article, the writer says:

> Segmented voter interests have undermined incentives for political leaders to articulate and act upon those interests citizens do share. . . A voter receives one piece of mail as a married Catholic, another as a 30 year old professional, and still another as an 'environmentally concerned' citizen.

The member for Elder waves his hand: 'So be it,' he says. And we know that, at the next State election, the member for Elder will send out all these different and conflicting messages in his direct mail. There will be one letter for people who oppose euthanasia, and there will be another letter for people who support prostitution. A whole variety of letters will be sent out by the member for Elder, many of them flatly contradictory—many of them so contradictory that the sum total of the member for Elder's campaign will be to mislead the electorate. But I know that the member for Elder, having been a candidate for another political Party, and now being a Liberal member of the Parliament, is very flexible, and he will creep all over the place in appealing to different constituencies. But let him be assured that there will be someone who is reading all that mail and comparing it. My one regret is that he will not be back here after the next general election for me to point out the inconsistencies to him personally. The member for Elder is someone with no values whatsoever, and he is ideally suited to modern campaigning. The relevance of what I am putting to the House on polling and targeting—

Mr Oswald interjecting:

Mr ATKINSON: —yes, there is some—is that if we have voluntary voting in South Australia and, indeed, Australia, our political campaigns will go exactly the same way: that is, we as politicians will work out which part of the electorate is unlikely to vote, and we will work out that about 50 per cent of the electorate will not vote in any circumstances.

Who will those people be? Let me give a few clues. Some of them will be Housing Trust tenants, because it is well known that they do not vote in local government elections. Some of them will be pensioners and the poor, and others will be young people, those who would otherwise be eligible to vote for the first time. So, given the likelihood of those people not voting, they will just be wiped off the data base. In fact, on the Liberals' feedback software, there will be a little box marked, 'No mail', and that is what those people I have mentioned will get. And the member for Elder smiles. He is salivating in anticipation of getting this Bill through and wiping off half his constituency from access to and service from him. Voluntary voting will lead to about one half of the electorate being wiped off altogether by the Liberal Party—indeed, by most political Parties.

Mr Venning: That is their choice.

Mr ATKINSON: The member for Custance says, 'That is their choice.' It is their choice to be wiped out of political consideration by a change to our voting system.

Mr Venning: They will get back on it easily.

Mr ATKINSON: I contend that the civic virtue lies with keeping all the eligible voters on the electoral roll, requiring them to vote and bringing them into political contention. I contend that South Australian political Parties ought to be encouraged to pitch their message to everyone—to the whole of the public—not just to a computer-selected part of it. This Bill is part of the Liberal Party's election strategy of wiping off—

Mr Venning: And we have a mandate.

Mr ATKINSON: And the member for Custance reminds us that the Liberal Party has a mandate to wipe off half the voting public—those who may not vote under voluntary voting.

Mr Venning: You are being ridiculous.

Mr ATKINSON: I am not being ridiculous at all. This will be the effect of voluntary voting on campaigning and on service. If you are poor, or if you are a Housing Trust tenant—

Mr Wade: If you are a Democrat!

Mr ATKINSON: —if you are a Democrat, the member for Elder interpolates, or if you are young and new on the electoral roll, or if you are a migrant who speaks in a language other than English, under this Bill you just will not get service from Liberal MPs, because Liberal MPs will know that the likelihood of your voting under voluntary voting is very small indeed. These people will be turned away from electorate offices by Liberal MPs because they do not form part of the Liberal Party's election strategy.

Mr Venning interjecting:

The ACTING SPEAKER (Mr Bass): Order! The member for Custance is out of order.

Mr ATKINSON: The article to which I referred made the following point under the heading 'The Weakening of Civic Society':

> The new campaign has undercut broad-based democratic organisations through which individual citizens have traditionally participated in public life. . . The atrophy of these associations and the rise of Washington based lobbies that do little more than seek members' money through direct mail both reflect and reinforce the rising influence of money and the declining importance of citizen participation.

There is one thing that will change for sure when voluntary voting comes in: election campaigning will be much more expensive than it is now. In America, campaigning for the presidency and congress has gone up exponentially in the past generation and, when we move from compulsory voting to voluntary voting, the cost of campaigning will go up enormously. Not only will politicians and candidates have to convince people to vote for their Party and for them but they will also have to convince them to vote.

Mr Lewis: Isn't that a good thing?

Mr ATKINSON: No, it is not a good thing because, in convincing people to vote at all, we will introduce squadrons of cars to take people to the polling booths, and we will introduce all sorts of bribery such as free meals, which are given in America to get people to the polling booths—

Mr Lewis: That is outside the law now.

Mr ATKINSON: It is outside the law now, as the member for Ridley says, but it will have to be legalised as part of voluntary voting because it will be necessary to get people to the polling booth.

Members interjecting:

Mr ATKINSON: If some of you had participated a little more in local government, as I have, you would understand the struggle to get people to vote at all in local government, and that will become our struggle if and when we bring voluntary voting to State elections. And it will cost a lot of money to persuade people to vote at all. You blokes do not know how easy you have got it now with compulsory voting, with people being required to attend the polling booth. That makes the cost and the effort involved—

Mr Venning: You are right there.

Mr ATKINSON: The member for Custance says I am right regarding how much easier it is to get people to turn out and vote with compulsory voting, but he is wrong to say it favours incumbency. He is quite wrong to say that. It is voluntary voting that favours incumbency.

The Hon. S.J. Baker interjecting:

Mr ATKINSON: In fact, there was a recent congressional election in the United States where, apart from death and resignation, not one congressional district changed hands across America, and that was down to voluntary voting.

The Deputy Premier says, 'What a good thing.' But it is compulsory voting that increases competitiveness in elections. I believe that we ought to have a reasonable degree of competitiveness in our State elections, but a sort of competitiveness that does not lead to political Parties begging and borrowing hundreds and thousands—millions—of dollars, especially from shady customers such as Catch Tim and Moriki. I oppose this Bill because it will vastly increase the cost of campaigning. It is in the interests of civic virtue and good civic culture in this State that our inheritance of compulsory voting from Sir Thomas Playford be retained.

Mr VENNING (Custance): I note that the member for Spence is back in the House this week. Last week I followed the member for Ross Smith. This week I have to say that the member for Spence has eclipsed the member for Ross Smith with more drivel—and much more researched drivel. This issue has concerned me all my active political life. Of course, being a political household, members of my family from a very young age were involved in the discussion as to why in this country we compelled people to vote. It is important to note that the main intention of this Bill is to remove the sanction of a criminal penalty for not voting. There should still be great encouragement for people to vote.

The facts are absolutely astounding when members consider that no other English speaking democracy, except Australia, compels its citizens to vote. The member for Spence has expounded all these theories and facts, but where do they stand up against the indisputable fact that Australia is the only English speaking democracy that compels its citizens to vote? Are all the other countries wrong? Have we got it right? I am amazed when I hear these arguments.

Belgium, Greece, Luxembourg and Venezuela are the only other democracies that make it an offence not to vote. If that is not damning evidence indeed of compulsory voting, what is? In some countries it appears to be compulsory to vote if one is on the roll, but there appears to be no compulsion to be enrolled. In South Australia we fine people for not carrying out their so-called democratic right. Fancy imprisoning 19 people for not carrying out their so-called democratic right!

Voluntary voting will not necessarily favour one Party or the other. I disagree entirely with what the member for Spence said. It does favour incumbency. It will favour the Party that convinces people, first, to get out and vote; and, secondly, to vote for the Party of their choice. The member for Spence referred to his experience in local government. I spent 10 years in local government. When I first entered local government in 1980 I challenged the Deputy Chairman of the council. There was a 95 per cent turnout for that poll. (It would have been higher if one of the constituents had not died the night before.) All candidates have to do in any election is create the interest and the people will support them. If members of Parliament get off their backside and get out there and work, there will never be a hassle of there not being a very strong turnout: the will of the people will always be there.

Local government protects very strongly its right for voluntary voting. It says, 'We are elected by responsible people, people who care enough to go out and vote.' My local government experience tells me exactly that. Our present

turnout to elections with compulsory voting is about 96 per cent. Prior to introducing voluntary voting in Holland, they had about the same percentage—94.7 per cent. Since the introduction of voluntary voting in Holland in 1970, the average turnout at their elections has been 83.7 per cent. It would probably be reasonable to assume that Australia would achieve at least that turnout. As politicians, we will work harder if voluntary voting is introduced. I know that, and so does the member for Spence—he said it.

Compulsory voting increases the number of safe seats because there is an assurance that almost everyone will vote. There is a possibility in a voluntary voting situation that supporters of the majority Party will not bother to vote because the outcome seems to be a foregone conclusion. We know that in 25 per cent of the seats the result is a foregone conclusion, so what electoral importance do they receive?

What happens in the Barossa Valley? Why is that the only community in South Australia that does not have filtered water? Because it has no political importance. The vote in that electorate is very strong and very predictable. I hate to admit it but, if it was a swinging seat, it would have received filtered water 20 years ago. Because it is such a conservative area and their vote is very predictable, they are the last people in South Australia to receive filtered water. Do members need any more proof than that? It is a very difficult issue.

Voluntary voting will encourage politicians to work much harder to satisfy the need within their electorates, whether or not it be a blue-ribbon seat, a safe or marginal seat. This will be much fairer to all electorates because the current situation favours the marginal seats heavily and gives the voters in the marginal seats a disproportionate say in the outcomes of elections. We all know that. It happens in all elections, both State and Federal. We talk about the marginal seats; the punters and the commentators talk about the marginal seats and the others do not matter. Those true-blue seats such as Wakefield or Custance do not come into the prediction. They say, 'Give that away.' The same situation occurs in Port Adelaide for the member for Spence. I am very cynical about this situation.

Overseas trends indicate that where voting is voluntary those who do not vote tend to be people with little or no interest in politics and, therefore, little knowledge of the issues being debated. This does not necessarily mean the lower socioeconomic groups of people because there are people in middle or upper class groups with little or no interest in or time for politics. I know many people who have religious reasons for not voting. They have to go through all the rigmarole of applying to not vote, and it goes on and on. As I said, in local government elections there is an enormous variation in turnout. Some of the highest turnouts can be in the poorest areas, whereas there can also be some very low turnouts in high socioeconomic areas. It all gets back to the amount of work put in by candidates and particular politicians.

Should voluntary voting be introduced it appears that young people in the 18-24 age group would be less likely to vote than older voters. At present Australian studies indicate that young people show the least allegiance to Parties and they are the least interested in politics. The introduction of Australian Studies as a compulsory secondary school subject a few years ago and also the offer of Politics at years 11 and 12 at some schools, hopefully, has been a step in the right direction in encouraging some interest among our young people and at least giving them the knowledge of the Australian electoral system. Many schools visit my electorate office, many visit Parliament and I visit as many as I can. I encourage them to become interested in the system because so many young people are not interested. We need more of our young people taking an active part in politics.

It is a well-known statistic that less than 7 per cent of the Australian population is actively involved in Party politics. That is a damning figure. Why? Because we shove it down their throats via compulsory voting. Again, these trends and indications should only serve to ensure that we foster an interest in politics in our younger generation and work harder to keep people informed of the political processes. Perhaps the Opposition is not keen to work harder—and I know that is the case.

In a report on the impact of candidates on election outcomes, based on evidence in the 1992 Queensland election, detailed in Legislative Studies Vol. 10, No. 1, in spring 1995 the conclusion was 'that local candidates were an important influence in about 40 seats decided'. The personalties and actions of these candidates in public and private were a deciding factor in the number of votes they received. Therefore, local campaigns can be a major factor in election results, and we have seen that time and time again. They can change Party allegiances and the expected political socialisation. As long as candidates are prepared to work hard and can hold their heads high in public and private, there should be no fear of voluntary voting.

We have heard much about democracy in this place, and members of the Opposition and the Australian Democrats go on crusades espousing democracy; yet here is a basic freedom that we are denying the people of South Australia. This was a key issue at the last State election.

Mr Atkinson: No, it wasn't.

Mr VENNING: It was a key issue. It was in the policy and there was no attempt to hide it. It was clearly spelt out by the Leader, now the Premier. The Australian Democrats in the other place, who attracted about 7 per cent of the vote at that election, compared with the Government's 64 per cent, have rejected this legislation twice. If this continues, the Government will be continually frustrated and the two-House system will be damaged. The question that must arise is whether we need two Houses. If this continues, if the advice of the people cannot be reflected in Parliament, we will have to change the system.

I am totally opposed to the continuance of compulsory voting in South Australia. I am even more opposed to fining people who do not vote. Compulsory voting favours no particular side, but it definitely favours incumbent members of Parliament and, as one, if I were worried about my job, I would vote for the *status quo*. My conscience does not allow me to do that. It gives certainty to members in safe seats, and I am one of those, but that does not make it right. This is the third attempt to get this democratic process into being, and I hope that it will be successful. I support the Bill.

Mr LEWIS (Ridley): The member for Spence is often entertaining, if not in the least factual, in the remarks that he makes to this Chamber from time to time, and the contribution that he gave us on this measure just a few minutes ago was no exception. He put the proposition to us that it is the Liberal Party's view—indeed, the Liberal Party's policy—to reduce the number of people who vote. He said that, in our opinion, too many people vote. Nothing could be further from the truth. We on this side of politics would prefer that those who vote choose to do so on their subjective belief that they are casting a vote relevant and intelligent, not driven to the

polls under the threat of penalty and incarceration as the end consequence, if they are not well enough off, to pay a fine that would result under the legislation which the honourable member's Party has insisted upon and under which his Attorney-General, quite properly, given that it is the law, prosecuted people when they did not turn out and have their name struck off the list.

The honourable member did not say, but what he could and should have said is that it is very costly to the public purse to chase up non-voters. He said that it was not an onerous burden on the State to do so. For the State to pursue its citizens for not voting is ridiculous in this day and age. He spoke about civil virtue—he used that term in the euphemistic fashion—and ignored completely the concept of civil rights in so doing. Civil rights confer on individuals the choice of whether or not to belong to an association and whether or not to participate in an activity. It is a matter of conscience for them to choose to participate. Civil rights therefore dictate in all conscience and in all fairness that the citizen be left with the right to choose, but the citizen should not be compelled to attend the polling booth and, as most of them are told by his Party's supporters, mark the ballot paper in a particular way. That is coercion which, to my mind, is the opposite of what we seek to achieve in democracy.

Democracy is where we have people participating in the process of delegating their authority in a voluntary, deliberate fashion to get the best possible outcome for the determination of the direction society would take in the law and the administration of public affairs during the ensuing period of, in our case, four years.

Mr Atkinson: Three years, I think.

Mr LEWIS: If the honourable member is casting, by inference, aspersions on the time the Premier will choose to call the next poll, I put it to him that it is more likely than not to be March 1998.

Mr Atkinson: Do you want a small wager on that?

Mr LEWIS: How much do you want? Civic virtue is not to be embraced by the notion nor does it cover the circumstance that it is compulsory to vote, if the honourable member analyses the meaning of those two words carefully. He chose not to use the words 'civil rights' because all of us are reminded of that gentleman Langer who was imprisoned under the crazy law introduced by Miss Young.

Mr Atkinson interjecting:

Mr LEWIS: Whatever the case, he should never have been imprisoned and no law should ever have been passed by any Parliament making it a criminal offence to advise other people how they can vote in a lawful fashion, but make the giving of that advice unlawful. That is ridiculous. It indicates clearly to me and illustrates to this House and to the wider public that the Labor Party was about ensuring the best possible prospects of its re-election in the amendments that it put through in the Federal Act. It did not want people to do anything that would detract from the likelihood of its being re-elected and, worse still, there was insufficient debate of the legislation in the Federal Parliament at that time.

There is always insufficient debate of any legislation that goes through the House of Representatives, and that has been the case for 40 years. Far too much legislation is introduced into the House of Representatives and simply guillotined, with not a word being said upon it, and there are some idiots in our society who advocate the abolition of the States, when they would do well, if they were to advocate a more effective federal system, whereby the amount of legislation that had to pass through the House of Representatives to give effect to policy of the successful Party was reduced to a much narrower purview than is presently the case. The House of Representatives, indeed the whole Federal Parliament, has encroached upon what was intended to be and remain the domain of the States when the founding fathers of the Federation delegated the responsibility for drawing up the Constitution by the States and set us the framework through which that Parliament was meant to be established and through which the Parliament was meant to operate in the national interest, leaving the States to compete with one another on other matters.

It is no longer necessary to have compulsory attendance at the polls to avoid an outcome that is other than satisfactory or that is capable of being manipulated, because we now have the means to establish identity for electors. Let me make my point more clearly. Before the age of computers, it was impossible to establish the identity of someone voting in a polling booth in which they were not known with any certainty.

So the American Democrats' maxim of the way they go about it in the primaries—vote early and vote often—was quite feasible as a practice where some people in circumstances where there is voluntary voting could enrol several other people whom they knew would not enrol themselves and then go along on polling day and vote in their name, voting many times themselves.

In the case of voluntary voting with compulsory enrolment, it was possible to go along to the poll and vote in your own name, and then go to a polling booth at which neither you nor the other person whom you knew had no intention of voting would vote and vote there, and do that several times, voting in someone else's name, and thereby corrupt the result by having cast votes in the names of several people and being unlikely to be discovered in the process.

That is why I have opposed the introduction of voluntary voting in the past. However, in this day and age it is possible to determine whether or not someone has voted and, what is more, to determine quickly and accurately the identity of the person presenting themselves to vote. I favour then voluntary voting with the right of challenge to the identity of any individual presenting themselves and claiming a vote where they have been enrolled and trot along to exercise the right to do so.

I am astonished that the member for Spence thinks he makes a valid point when he says that if we remove the necessity for people to attend at the poll we will then have to bribe them and that we will have to make further changes to the law to make it possible for us to do that. I think that is really quite corrupt and quite immoral. It indicates to me that the Labor Party has not really come to terms with or even understood the basis of democracy and the basis on which civilisation can continue through the democratic process. If it is necessary, in the opinion of the member for Spence, to contemplate bribery then it is equally necessary, in his opinion, to admit that he does not have sufficient integrity of ideas in the policies he is advocating to get people to come to the poll and support him and his Party in the vote that they cast.

Bribing people to vote is the pits. I see absolutely no circumstances in which it is in any way a logical sequence flowing from this measure to require us, further down the track, to further change the law to make it possible for us to offer bribes such as meals, free rides and so on. It is a nonsense. It is a *non sequitur* in every respect. Interestingly, the member for Custance made the point that less than 7 per

cent of people in Australia actively participate in the political process: I presume he was talking about people who belong to political Parties. Let me tell the House that it is not only less than 7 per cent but very definitely considerably less than 2 per cent in this State.

Those people who belong to political Parties, where we have about one million people enrolled, are less in total than 20 000, which is 2 per cent. It is, therefore, in the opinion of the member for Custance, an undesirable consequence of there being a compulsion to go and vote. I do not share that view; I do not think by the abolition of compulsory voting we would automatically bring about a resurgence of interest in political Parties and an increase in membership of political Parties. There would have to be a clear cut change in the way in which people think about their politics, and I do not think the Parties themselves would cause that to occur. I think the level of journalism to which we have been subjected over the years has more to do with the outcomes in that respect than the activities of the Parties themselves. Journalists might have to be more objective in the way they report the policies of the Parties—that is, report the news rather than try to make the news. That goes as much for the print media as it does for the electronic media, whether it is radio or television.

The one thing the member for Spence did not address anywhere in the course of his response to the proposition put by the Deputy Premier in introducing the Bill was that, if it is a requirement that a person must enrol and attend at the poll, in law it should equally be a requirement, or at least a possibility, that the person so enrolled can remove their name from the roll. At present the law does not allow that. Once enrolled you are there for keeps: there is no means by which you can have your name removed. Why is it then that, if it is good enough to put your name on the roll, it is not acceptable to remove it? Why should the law require the citizen to do one thing but not be entitled to reverse that action where it is directly and consciously related to that individual's civic choice? If they choose not to do their civic duty, if they choose not to exercise their right, it is because they feel strongly enough not to do that.

I believe that it is not up to us, as lawmakers, to tell them what they should do when they are not prepared to think clearly for themselves in that respect. It shows the hollowness of the arguments put by the Opposition when it completely ignores that aspect of this legislation and simply opposes it outright. I state again: it follows that, if a person has a right not to have his or her name put on the roll, there should be a right to choose to request that his or her name be removed from the roll up to and including the date chosen by the Governor for the close of the roll for an election.

That states it quite simply. The member for Spence ignored that; he failed to address it. I guess the Democrats do not even understand it. Were they capable of understanding it they, too, would choose to ignore it, I am sure, in the course of this debate. As the member for Spence quite properly pointed out in the course of his remarks, the attitude of the Democrats and the Labor Party to this legislation is to simply secure their political survival and not in any way enhance the practice of democracy in this State.

Let the public of South Australia know that it is the Labor Party and the Democrats who are forcing them to go to the polls and, if they choose not to, to pay a fine, and, if they choose not to do that, to go to prison and get a criminal record. The Democrats and the Labor Party are making criminals of them, not us. It is the Democrats and the Labor Party who know themselves to be so deceitful and incompetent that they could not get the vote out in sufficient percentage terms to win an election without making it compulsory. The Democrats and the Labor Party cannot face the consequences of a democratic expression in free will. They do not have the guts or the gumption; obviously, they do not have the policies, either.

Mr BROKENSHIRE (Mawson): I will be brief, but I do want to speak to this Bill. I remind members that, prior to coming to Government in 1993, we advised the community of our policy to introduce voluntary voting. It is a promise that we should have the right to implement. If the Opposition and the Democrats were fair about it in any way whatsoever, they would realise that we have a mandate for non-compulsory voting because the policy was clearly discussed and debated before the election. It should be the democratic right of every citizen in Australia to choose whether or not they wish to vote. During the Federal election of 2 March it was interesting to note the attitude of many people who came to the polling booth and who were absolutely outraged that they were being forced to vote.

If members looked at the informal voting pattern across the State—although I have not seen the figures—I believe they would see that it has been on the increase. Certainly, in the seat of Kingston, it appeared that there was a significant increase with many of the booths averaging an informal vote of between 7 per cent and 9 per cent. Why was that vote informal? It was not because the people were not intelligent enough to fill out the ballot paper—they just did not want to vote. They just wanted to have their name crossed off.

Mr Atkinson interjecting:

Mr BROKENSHIRE: The member for Spence says that half those people did not have the capability to fill out the ballot paper. If the member for Spence is saying that, it is an indictment on the people of South Australia. Perhaps he is also suggesting that, during the 13 years that the Labor Government was in power, it did not get it right when it came to some of its policies. I will talk more about that later. When speaking to people from the Labor Party in South Australia who were handing out how-to-vote cards, a discussion arose about whether or not voting should be compulsory.

Those intelligent people who were handing out the how-to-vote cards for the Labor Party all agreed that we should have voluntary voting. They also agreed that it would have been a good idea if none of us were there that day: they did not see a worthwhile purpose in waving pieces of paper in front of people as they came in to exercise their democratic right. We all agreed that the how-to-vote card of each Party should be put inside each polling booth and that should be it. People should not be subjected to the banners, the misrepresentations and untruths that occur. During the past few elections, the Labor Party seemed to be masters at putting out untruths and misleading people as they enter the polling booths.

In one case, a person representing the Natural Law Party was harassing people as they entered. Another person who was against further immigration was telling people as they came to the polling booth that, if they did not vote for their Party, they were voting against jobs for Australians. The people in my community should not be subjected to that, and they do not want to be subjected to it.

I would also like to see a limitation on signs. I agree with the Burnside council which prohibits political signs from being put up in the electorate. Mr Gordon Bilney, the former member for Kingston, put out some propaganda during the

campaign. One photo had him sitting on the back of a ute amongst a heap of white KESAB Clean Up South Australia litter bags. Do you know what happened just before the election? On every stobie pole along Main South Road from Beach Road through to O'Sullivan Beach Road there was a 'Hands off Telstra' sticker. Following the election, those posters that did not blow off the poles and go down the stormwater drains and into the sea, polluting the ocean and killing off sea life, are still there like graffiti degrading our area. Mr Bilney purports to be a master of Clean Up South Australia, yet he stuck these posters all around the electorate.

On 3 March Mr Bilney did not have a clean up campaign. Those of us who really believe in and are committed to the South, who support our constituents and look forward to working with them over many years to give the South and South Australia a sustainable future, were out there at 9 o'clock with our constituents cleaning up. But Mr Bilney's Labor team did not go out and take down their posters. Those types of posters should be banned completely. They were not posters displaying Mr Bilney as the candidate: they were lies, lies about 'Hands off Telstra'. Yet, had Mr Keating been re-elected, he would have sold the whole lot, as he did the Commonwealth Bank and QANTAS.

To return to the point, people should be given a democratic right. I cite another example of a lady in her 90s who is very close to me. She became very stressed when she had to leave her nursing home to vote. She cannot see properly because of cataracts on both eyes. She did not want Mr Keating to be re-elected but, because she was not sure how to fill out the ballot paper, she told my sister that she had decided to not vote at all. As a 91-year-old lady she felt frustrated that she was forced to vote. She is not allowed to be taken off the roll. That is not right. If we are talking about people's rights, freedoms and opportunities in this State, I believe that the Labor Party and the Democrats should support this amendment.

Not many Labor members are prepared to stand up in this Chamber and say so, but a couple of honourable members opposite have indicated to me, both inside and outside this Chamber—more so outside the Chamber in the corridors—that there should not be compulsory voting. They have also told me that they believe that, if there was no compulsory voting, their core Labor voters would not go to the polls and support them. Fancy saying that about their own voters! They also say, 'They would not be interested in going along, or they would be busy doing other things, or they could not generally be bothered.'

Many Labor voters have voted for me. My own father was a Labor voter until 1985 when he said to me, 'I am coming with you Robert.' I said, 'What do you mean, dad?' He said, 'The Labor Party in Australia has lost its way and I am going to vote Liberal.' That was a shock for me. In 1985 he saw the light; he saw that the Labor Party was no longer supporting the worker; and he saw that it had lost the middle ground. In fact, many more people have come to that realisation since. Here we have members of the Labor Party saying that Labor voters will not go out and support them unless they are forced to. Labor voters are intelligent people, just like Liberal voters, and they support the people that they believe should be elected to do the job. They do not believe that they should be forced to vote. They believe that they should be able to vote of their own free will, and that is why many of them voted for the Liberal Party at the last Federal election.

When you act as a scrutineer, you see the frustration vented on the ballot papers by people who are angry that the Labor Party and the Democrats force them to attend at the poll and vote. In fact, the messages would make members' hair stand on end. The messages clearly indicate that they do not want to be forced to vote. What about the cost? Day after day we hear the Opposition screaming and yelling for more money for education, health, police and transport. We know why we cannot give as much money as we would like: it is because of the mess that members opposite created when they were in government. Here we have an opportunity with this amendment to put extra money into education and health. How? By not having to spend hundreds of thousands of dollars every time there is an election chasing people for fines because they did not vote and asking them to please explain.

If the Labor Party and the Democrats in this Parliament were credible for one moment, they would support this Bill, because hundreds of thousands of dollars could go into health, and that would then pull down the waiting lists; it could go into employing SSOs, and that would then make it easier for my teachers; it could go into public transport, and that would make it easier for people to travel; and it could go into law and order, and that would enable us to be more safe on the streets. But the Labor Party is two faced, because all it is interested in is its own self interest, and that is clearer and clearer to me every day that I sit in this Chamber. They are professional politicians, and the Westminster system is not about professional politicians: it is about politicians who have the guts to get a job done for their State and their country, who have the ability, the initiative, the foresight and the interest to create a sustainable future for the people of South Australia and Australia and, most importantly, who are committed to democracy.

Fifty years ago we went to war to ensure democracy and freedom, yet the Labor Party and the Democrats want to dictate to the people, 'There shall be no democracy but you will be forced to go to the polls.' Shame on the Labor Party. Shame on the Democrats. I support this Bill. It is a good Bill. The people of South Australia overwhelmingly voted for this Bill on 11 December 1993 and they should not be denied natural justice. This Bill should be passed here and now.

Mr CLARKE (Deputy Leader of the Opposition): I was interested to hear the last few comments of the member for Mawson. I hope he is entirely right that the people of South Australia voted overwhelmingly on 11 December 1993 on the issue of voluntary voting and that the State Bank and the $3.5 billion loss incurred therein had nothing to do with the election result because, if that is true, no doubt the guilty party-type advertisements that the Liberal Party is already preparing for the next State election will be redundant. It will all be about voluntary voting, not about the State Bank, the directors or the former Government's involvement with the State Bank. So, I sincerely trust that the member for Mawson is right that that was the overriding issue that caused literally tens of thousands of South Australian citizens who normally voted Labor to vote against us at the last election. If that is the case, we will certainly sweep back very easily at the next State election.

Let us forget all this airy-fairy, democratic, clutch to the bosom type-view that the member for Mawson and others on the Government side have expressed. The reality is simply that members of the Liberal Party perceive it as in their political interests to have voluntary voting, because they believe that fewer people will turn out to vote and that those who do turn out will be those who normally would have a vested interest in society through property values, money or

whatever else, and that they will be more likely to support the conservative political Parties than the Labor Party.

Much has been made by the Deputy Premier by way of interjection about the figures for voluntary voting in other countries. Of course, he uses the United Kingdom, Germany and the Swedish and Norwegian voting patterns, which show that for voluntary voting the turnout is above 70 per cent and, in some instances, particularly in Germany and the like, well above the 80 per cent voter turnout. However, it is more likely in Australia that we will follow the United States, and the reality is that in the United States, with its history of voluntary voting, fewer and fewer people are participating in the democratic process.

Indeed, at the last presidential election of 1992 a great deal of concern was expressed by various political commentators that you could have a President of the United States elected with under 40 per cent of the voting population actually voting, because there was a perception that the general public was turned off by the then Democratic nominee, Bill Clinton, and then President Bush. It was suggested that there was such little interest in the presidential race that less than 40 per cent of eligible voters would actually to vote for the President. As a number of political commentators in the United States pointed out, that would be an absolute catastrophe from their point of view because, if the President of such a major nation or superpower as the United States was elected by a simple majority of less than 40 per cent of the voting population voting, the President would have a very small mandate from the population as a whole.

When President Reagan won an outstanding electoral victory in 1984 and in 1980, the fact was that he represented about 26 per cent of those eligible to vote: he was elected on that sort of popular vote. That is an outrage because, if democracy is to mean anything in this or any other democratic country, it must be seen that the executive arm, whether it be through an executive President or through the parliamentary system that we have here in Australia, the Parliament or the people who are elected to office, commands the widespread support of the entire community, not just one section of it.

The member for Spence as our lead speaker has made quite a good speech by referring to an article about targeting voters in countries that have voluntary voting, in particular the United States. You go back over the electoral roll and work out who voted in the last election and target those people, not those who have not voted, those newly naturalised citizens or those who are part of a transient population and who are not in place long enough to develop a particular rapport with that district in which they live. The major political Parties do not pitch to those people because they tend not to vote. Nonetheless, the action, or the inaction, of Governments severely affects their entitlements.

For example, in the United States a series of conservative Congresses have voted on issues such as cutbacks to welfare payments for single mothers—and the member for Lee will have some sympathy with respect to that Republican congressional move. A whole raft of legislative action has been taken by conservative Congresses in the United States that impact quite severely on those least able to defend themselves and on the very people who do not get out and vote in large lumps for a whole range of reasons, yet they are the most significantly affected.

The other significant group in the United States that has benefited by these congressional law making bodies and by successive presidencies under Reagan and Bush has been the very wealthy. There have been huge tax cuts for the very wealthy. They have come out and voted in large lumps because they have seen a direct financial benefit to themselves, whereas those who have been most affected in a deleterious way, such as the poor, the migrants, the single mums and the like, have not taken part in the political process. It is a favourite catchcry of the member for Mawson and the member for Custance that it is an impingement on people's democratic rights to force people to front up to a polling booth, have their name struck off the voters roll and receive a ballot paper.

The fact is that voters do not have to mark their ballot paper if they do not want to. The law requires them only to present themselves to the polling booth, to have their name struck off the voters roll and to receive a voting slip. If they choose not to mark a formal ballot paper, that is their right. However, I see nothing wrong in a democratic society for society as a whole to say that every citizen has a responsibility for the good governance of our society, of our community.

I do not regard it as oppressive or harsh for this Parliament or any other Parliament to say this to all its citizens over the age of 21 years—or, rather, 18. I keep forgetting. I must be getting old; I was 21 when I got my first vote and I was busting my insides out to be able to vote when I was about 14. There is no impingement on anyone's civil liberties for society to require that, once every three years at a Federal election or once every four years at a State election, they do no more than present themselves at a polling booth and have their name struck off to receive a ballot paper. Is it too much to ask of a citizen—and in many cases they are taxpayers as well—to give a few moments thought to the continuing governance of their State or their national Government and make a decision whereby, once elected, a Government can at least say that over 90 per cent of the voting population participated in the vote and that the Government which wins office has received more than 50 per cent support of more than 90 per cent of the population voting in such an exercise? Clearly, any Government in such circumstances can claim far greater moral authority in the government of its nation or State simply because of that broad based support.

It is often alleged by the proponents of the Government Bill that this would force politicians to work harder to keep in contact with their electorate, to get the vote out. The reality is that, for example, the seat of Custance is safe for the Liberal Party because of the conservative nature of the vote there, and it has been so for a long period of time. That has not helped people in many respects: they have been so faithful to the Liberal Party that, like most rural people, they have been taken for granted by the Liberal Party and have not been attended to, because they know that if they put up a sheep it will get elected if it happens to wear the Liberal Party ticket. We have had plenty of examples in this House where we could point out where sheep have been sitting in this House.

The fact is that it will make many of those seats even safer. The sitting MPs will be targeting those people who they know get out and vote and who feel sufficiently motivated, often for selfish personal gain, such as many of those Republican voters who were to gain significant tax cuts under President Reagan. Those people are the ones who will be targeted, salivated over and got out to vote. That is the danger in this whole exercise. What we will be doing in Australian politics is what they do in the United States: that is, we will have to pander to the extremists of this world such as Pat Buchanan; to the extreme right wing churchgoing groups that

occur in the United States; to the extreme anti-abortionist feelings that exist in certain sections of the United States; and to the racist and neo-racist type of vote that exists in every society.

They know that through a knee jerk reaction those people will go out and vote. So, rather than political Parties developing policies which pitch to the whole of the community and seek the support of at least 50 per cent plus one of the voting community, they will pitch their policies and interests to about 25 per cent plus one of the voting population on the expectation that 50 per cent or less of the voting population will take the trouble to vote. That is simply not good enough and, regardless of whether voluntary voting disadvantages or advantages my political Party, frankly, that is not the issue for me. The issue—

Mr Brokenshire interjecting:

Mr CLARKE: If instead of strutting the stage as a lance corporal pretending to be a parliamentary secretary the member for Mawson had stayed in the Chamber, he would have heard the point I was making. For his benefit I will repeat it. The issue is good governance in this State and nationally. The best way to obtain it in a democratic society is by having the maximum number of people participating in the vote. Yes, in part it is an infringement on somebody's individual right to say, 'Thou shalt turn up to a polling booth every three or four years to get your ballot paper.' However, we have these requirements every day. We pass laws saying to Mr And Mrs Citizen, 'You shall not exceed 60 km/h or 110 km/h.' Many private sector employers say to their employees, 'To get a job with us, you must contribute 5 per cent of your salary to a superannuation scheme.' No-one says that is an infringement of their civil liberties, because people rightly argue that that contributes to their retirement and their family's well-being and that it is a community responsibility.

Well, it is a community responsibility for every citizen to care enough about their own State or nation to think for a few moments once every three or four years how they will cast their vote. I may hate every politician and say, 'A pox on their houses,' but the fact is that they do not have to vote for any politician if they do not want to. They simply have to get their ballot paper and take a decision from there.

Mr Brokenshire interjecting:

Mr CLARKE: I am not advocating an informal vote: I am simply saying that they are not compelled to vote for any political Party or candidate if they do not want to. However, overwhelmingly people say, 'I may not like any of them, but they will be in government for the next three or four years, hence I will make a choice between those who are putting themselves on offer.' That is the essence of a democratic society; and that is the essence of a society which is vibrant and which is constantly being renewed, because political Parties pitch to the broad community to gain their support, not to narrow, sectarian, knee jerk constituencies as they have done in the United States. That type of politicking has polluted and degraded the political system in the United States. It does not matter how many times members opposite point to Germany or whatever in terms of voluntary voting, our culture in Australia is different. We are more likely than not to follow the United States trend, as we have done in a whole range of other areas. The reality is that in State elections we are asking for even less than 50 per cent of voter turnout. If we get only 30 or 40 per cent of the State's eligible voters turning out, the moral authority of the Government elected to office is so much more diminished. That is the essence of it.

The Liberal Party is putting forward its policy for only one reason—short-term political gain as it sees it. Even the Liberal Government of Victoria, which controls both Houses of Parliament, recognises the stupidity of going to voluntary voting and has not done so in that State. Richard Court in Western Australia has control of both Houses of Parliament and has not sought voluntary voting. The Nationals in Queensland, where they ruled supreme, often in coalition with the Liberal Party for 30-odd years, did not abolish compulsory voting. Mind you, given the gerrymander they had there, it did not matter, because they were secure in office until the stench of corruption got so great that the public voted them out of office, notwithstanding that gerrymander. Right around Australia, where the Liberals' own political contemporaries control both Houses of Parliament, they have not gone down the road of voluntary voting, because they know that the arguments we put forward in this Chamber stand the test of time.

You will carry out your actions in voluntary voting if you ever got control of both Houses of Parliament, which will lead to everlasting shame in this State, because you will lead to the erosion of the moral values and moral authority of any State Government elected to office, where less than 50 per cent of eligible voters get out and vote. That is the crucial issue, not whether it benefits my Party or your Party.

As MPs we should all be about trying to maximise political participation within our community. It is not immoral, and it is not an impingement on a person's civil rights if society says, as a collective view, 'We want all of you to participate in a vote. Once every three or four years we want you to give a few minutes thought about who will govern this country for those next few years and get on with it and cast your vote.' That is what democracy is all about: maximum participation by the electorate, not the erosion or undermining of that issue.

Mr ROSSI (Lee): I have listened to the member for Ross Smith argue the point that there should be compulsory voting. He being a Labor member, I was a bit surprised, because all Labor members and the trade union movement do not allow compulsory voting in industrial disputes. When I was about 16 years old, my father attended the St Clair Sports Centre to vote in an industrial dispute. Of course, it was only a show of hands, and those people who were opposed to the union organisation got a clip across the ears. So much for democracy from the Labor Party!

I was pleased to hear from the member for Ross Smith his admission that it was the Labor Government that caused the State Bank collapse. They were wrong then, and I believe they will be wrong now in this debate on voluntary voting. I came to this House believing there should be a standard of consistency throughout Government and in Government policies. People who come to Australia from overseas have a right to be naturalised or not be naturalised. Therefore, they have a right to vote or not to vote, yet members opposite do not give Australian born citizens that same right. They are a mob of hypocrites in my opinion. They are inconsistent in their views, because they pass one law to cover everybody and not discriminate between citizens who live in this country.

Mr ATKINSON: I rise on a point of order, Mr Speaker. I take offence at the term 'hypocrites' applied to members of the Opposition, and I invite you to ask the member for Lee to withdraw that unparliamentary language.

The SPEAKER: Standing Orders clearly advise that a member must not impute improper motives. If the Chair was to rule out the word 'hypocrite' by a member, I think we would have a very narrow area of criticism which would be allowed under Standing Orders. The Chair is not of the view that it should uphold the point of order.

Mr ATKINSON: On a point of order, Mr Speaker, I refer to page 445 of the previous edition of Erskine May whereby it was ruled in the House of Commons in 1902 and again in 1962 that the word 'hypocrite' or 'hypocrites' was unparliamentary. Given that Standing Order 1 of the House of Assembly requires that, where a matter is not covered by our Standing Orders, it should be covered by the practice of the House of Commons, I now invite you to rule in accordance with Standing Order 1 that the word 'hypocrites' is unparliamentary.

The SPEAKER: I point out to the honourable member for Spence that Standing Orders govern the conduct of debate in the House. Erskine May is there for the guidance and enlightenment of members—

Members interjecting:

The SPEAKER: Order! If the honourable member for Lee had personally directed the word 'hypocrite' to an individual member, the honourable member for Spence would have been in a stronger position in relation to his point of order. On my understanding, the member for Lee made a general reference to members opposite. However, in view of the fact—

Members interjecting:

The SPEAKER: Order! In view of the fact that the member for Spence regards this as an important issue, the Chair will consider it and bring down a considered ruling when I have had the opportunity to examine the decisions of my predecessors on this particular matter.

Mr Atkinson interjecting:

The SPEAKER: Order! The Chair did not hear the comment of the member for Spence.

Mr ROSSI: Again the member for Spence seems to interrupt every time I have something intelligent to say or when I attack the Labor Party for its incompetence. I consider the member for Spence a troglodyte, if that suits him better.

Going on with the topic of voluntary voting, the member for Ross Smith said that only 26 per cent voted to select President Ronald Reagan in America. May I say that in Australia, and in South Australia in particular, there are roughly 40 per cent who vote Labor, no matter what they do; there are approximately 40 per cent who vote Liberal no matter what they do, and the only way either a Liberal or Labor Government is elected is by 20 per cent of swinging voters. Most seats in South Australia have a margin of less than 20 per cent. If we talk about democracy and about who chooses who should be in Government, it is 20 per cent, much less than the 26 per cent the honourable member mentioned in America under a voluntary system.

When talking about democracy and the majority, the Australian Democrats in this State have less than 10 per cent of the vote statewide and they have no member in the House of Assembly, yet they are dictating to us what measures should be passed in the Upper House. As far as I am concerned, that is not democracy. The Democrats represent a far more disproportionate number of MPs both in this House and in the other Chamber, yet the decision making is based on only those two Australian Democrats in the Upper House. You call that democracy—I do not.

The other problem I would like to raise involves people from non-English speaking backgrounds who go to vote. I have personal experience of parents who are naturalised, who do not understand English very well and do not turn up to vote, but their children do, so the children are voting on behalf of their parents and may be voting for the opposite Party for which their parents would have voted. To me, that situation was brought about by the Labor Party when it changed the Electoral Act by taking away the date of birth of electors. If a person of my age or a 20 year old turns up and the electoral roll indicates that a 60 year old person is supposed to vote, the electoral officers would question that person. Yet, the Labor Party, in its corruption, deleted the date of birth on the electoral roll, thus allowing dishonesty to occur.

The other problem I raise concerns people in their 60s or 70s, who are ill and cannot walk to the polling booth, yet are afraid to pay a fine for not voting. They walk with the aid of a walking stick or frame, and struggle to the polling booth, so some of them ask the political Parties, both Labor and Liberal, for a bus or car to pick them up and take them to the polling booth. That is not appropriate, because on the way to the booth they can be influenced in the way they vote, and I do not think that is democracy. I also refer to instances of what happens in nursing homes involving people who have mental lapses and do not know for which Party to vote. I do not believe that it is necessarily an intelligent vote that they register.

While talking about intelligence, I refer to some of those who deliberately make their vote an informal one. However, others do not know how to vote and become confused. On another point, I refer to the right of 18-year-olds to vote. They have never been in the work force and never had responsibility, yet they have the right to vote. What are they voting on?

Mr Brokenshire interjecting:

Mr ROSSI: The majority of them do not. For instance, some 18-year-olds are still attending high school and some are attending university. Some of them have not had a job of their own and, until they join the work force, they do not know what is or is not responsible government. Until I became a parent I did not realise the responsibility of being a parent. It was not until I was 25 or 30 years of age that I considered my vote to be an intelligent vote.

The member for Ross Smith referred to members on this side of the House as 'sheep'. I remind the member for Ross Smith that there are more Labor members of Parliament, both Federal and State, who have only made a maiden speech but who have nevertheless held their seat election after election. Members on this side of the House are far more intelligent than sheep, and I take offence to the member for Ross Smith's implication.

Mr SCALZI (Hartley): I will be very brief, as I have spoken on this issue previously. I agree with the member for Ross Smith that all citizens should participate in, contribute to and have knowledge and be proud of their system. People should be involved in their work, their unions and so on. I agree with all that, but I disagree that they should be involved compulsorily. I believe that we should have voluntary participation in and contribution to all aspects of life. However—

Mr Atkinson interjecting:

Mr SCALZI: Legal matters. The member for Spence should not ridicule some of these basic principles. However, I believe that we should have compulsory education about

voting, because that is the only way we will have true participation and contribution. Voluntary voting would ensure that result because the decision is made on a person's wish to be involved. If that could be achieved, we would all be better off for it; we would have a better society and more participation as far as democracy is concerned. I believe that the Australian Democrats, who are elected on a proportional representation basis, have disproportionate power compared with their representation. As we have found out in the past two years, they have exercised their power, regardless of the trust the community placed in them. It is wrong for the Australian Democrats not to allow a legitimately elected Government to carry on with its mandate.

The Hon. S.J. BAKER (Deputy Premier): From the contributions made by Opposition members, one would think that all the other countries that do not have compulsory voting, being the vast majority of the world—there are only two countries that have compulsory voting besides Australia—would be falling apart at the seams, having riots in the streets and suddenly disappearing off the economic calendar, or that they would be in such grave difficulty that it was the end of the world for them. In fact, quite the opposite is the case. Whilst I might have shared the sentiments expressed by Opposition members some 20 years ago, I have changed my mind dramatically in more recent times. As the member for Spence said, it was a great innovation in 1942 by the Liberal Council. It is probably a greater innovation in 1996 to reverse that situation. It appears to be appropriate, if that is the main mechanism the member for Spence is looking for.

In terms of voluntary voting, most countries obtain very good responses. Certainly in regular general elections there are very good responses. We would expect the response rate to be somewhere between 70 and 90 per cent, as the member for Spence indicated.When I looked through the records of various constituencies I was amazed at how high it was. Even in countries where I did not believe they had a high regard for Government, and less regard than our own, the figures were still fairly impressive. I believe that we could expect somewhere in that range. Obviously, we hope it is at the top end of the range. Concerning the reference to the segmentation of the marketplace, I remind members that the member for Makin was very good at segmenting the marketplace and appealing to various constituencies in the way in which he addressed his letters—and I guess democracy prevailed in those circumstances, too.

I fail to see the relevance being given by the member for Spence to the question whether voluntary voting makes any difference to the fact that people are using those techniques in accepted campaigning. I remind the honourable member that, if it is a process of exclusion, the electorate will rapidly tire of the local member if that member excludes certain segments because he or she believes that vote is already given. Some of the comments made by the member for Spence do not stand up. They do not reflect an understanding of what the rest of the world is doing in terms of electoral processes. A fact of life is that the rest of the world believes that voluntary voting is an appropriate means for democratic expression. It is the greatest of freedom: the freedom to make a choice. We do not allow people to make a choice under the current system.

As members on this side have reflected, you have to be either senile or dead before you are relieved of your responsibility, and we know that that is not a very satisfactory system. This Bill addresses non-fines for those who have transgressed under the law. We believe that is an appropriate mechanism to achieve voluntary voting, with people making up their own minds. We know that, if the Government is bad, the people will go to the polls and ensure that they get rid of the Government irrespective of whether there is voluntary or compulsory voting. The rest of the world accepts voluntary voting as a mature way of expressing opinion.

The only countries that had compulsion were the Communist countries, and I hope we have not developed their bad habits by insisting that we retain a compulsion to vote in this State. I believe that we are maturing as a nation. We can depend on the people to make wise choices, and we should not make them go to the polls simply because we do not trust them to turn up on the day. I believe that it is now time for a change. This Bill takes it a further step along the way.

The House divided on the second reading:

AYES (26)

Andrew, K. A.	Baker, D. S.
Baker, S. J. (teller)	Bass, R. P.
Becker, H.	Brindal, M. K.
Brokenshire, R. L.	Caudell, C. J.
Condous, S. G.	Cummins, J. G.
Evans, I. F.	Greig, J. M.
Hall, J. L.	Kerin, R. G.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	Meier, E. J.
Oswald, J. K. G.	Penfold, E. M.
Rossi, J. P.	Scalzi, G.
Such, R. B.	Venning, I. H.
Wade, D. E.	Wotton, D. C.

NOES (11)

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

Majority of 15 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—'Transfer of enrolment.'

Mr ATKINSON: I draw the Deputy Premier's attention to what might be a difficulty with this clause. This clause abolishes the offence of failing to notify the Electoral Office of a change in address. As the Deputy Premier may know, the most effective cleansing of the roll occurs when there is an election. People report to a polling booth to vote in the district in which they live, but they find themselves enrolled to vote in a district in which they previously lived. The process of elections and compulsory voting achieves a cleansing of the roll periodically. Given that it will no longer be an offence to change one's address and fail to inform the Electoral Office of the change, will not the effect of this clause be that people will be enrolled to vote in a place where they might not have lived for more than a generation, because there is no obligation on them to keep the roll up to date and there is no cleansing process?

The Hon. S.J. BAKER: If they want the right to vote, they have to make sure that they know where they live.

Mr ATKINSON: I do not think that that answers the question at all. Are there not circumstances in which a person can enrol upon turning 18 and live in their parents' home

until they get married and go and live somewhere altogether different. If they do not vote for many years and then later they do appear to vote, but they are incorrectly enrolled and have been incorrectly enrolled for many years, and vote in a place where they might not have lived for many years, does this not conduce towards electoral fraud?

The Hon. S.J. BAKER: The answer is 'No'.

Clause passed.

Clause 3—'Removal of name from rolls.'

Mr ATKINSON: This clause allows a person to apply to have his or her name struck from the electoral roll. During the second reading debate Government members tried to tell us that the Liberal Party was not interested in driving down the number of people who vote, but let us have a careful look at this clause because it is an invitation, an encouragement, not to vote. Can the Deputy Premier tell us whether, under this clause, the Liberal Party will be able to circularise standard form applications to have one's name removed from the electoral roll? Will it be lawful for the Liberal Party to do what is clearly in its interests, and that is to have the maximum number of people removed from the electoral roll?

The Hon. S.J. BAKER: We have not made a lot of progress on the issue of whether we can go down the path of voluntary voting. This is a fairly inexact path, as members would recognise. The issue is whether or not people want to be on the roll. If they are not on the roll, they do not get a vote. If they want to get on the roll and they have not been on the roll, or they have taken themselves off the roll and they want to be on the roll, they can do so.

Mr ATKINSON: I presume that the Deputy Premier is saying that it is open to the Liberal Party to do what it cannot do now, and that is to campaign in certain electorates to drive down the number of people on the roll and to take people off the roll. I put it to the Deputy Premier again: if this clause becomes law, will it be an offence to issue a standard-form campaign item to people in a particular electorate encouraging them to take their name off the electoral roll?

The Hon. S.J. BAKER: The issue is quite clear. What the honourable member is saying is that, if somebody is canvassing for someone to take their name off the roll, should that be an offence? I have a number of constituents who come to me and say, 'I would like my name taken off the roll.' Is that canvassing or not? If the member is willing to go down this path, I am willing to pursue it with a great deal of vigour to make it an offence.

Mr ATKINSON: I draw to the attention of the Committee that this clause in the Bill is different from the previous two Bills on this topic which the Government introduced. The Government did not have this clause in the previous Bills, so the Committee ought to be aware that campaigning to take people off the electoral roll is exactly what the Liberal Party has in mind.

Clause passed.

Remaining clauses (4 and 5) and title passed.

Bill read a third time and passed.

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

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

ROAD TRAFFIC (EXEMPTION OF TRAFFIC LAW ENFORCEMENT VEHICLES) AMENDMENT BILL

Received from the Legislative Council and read a first time.

MOTOR VEHICLES (MISCELLANEOUS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

MOTOR VEHICLES (MISCELLANEOUS NO. 2) AMENDMENT BILL

Received from the Legislative Council with a message drawing the attention of the House of Assembly to clause 43, printed in erased type, which clause, being a money clause, cannot originate in the Legislative Council but which is deemed necessary to the Bill. Read a first time.

ADJOURNMENT DEBATE

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

That the House do now adjourn.

Ms STEVENS (Elizabeth): Tonight I want to return to the issue which I raised today in Question Time in relation to the family policy of this Government. I refer, first, to a quote from the *Advertiser* yesterday where the Minister said:

> We have already signalled the development of a major new thrust incorporating programs to strengthen families and dealing with issues of abuse, and further announcements will occur later in the year.

That was the reason that I asked the Minister for Family and Community Services today about his real commitment to family issues. Many of my colleagues and I, and a great number of people in the community, do not see that commitment. I was interested to look again at his opening remarks when he answered my question:

> I do not know how many times I need to explain the priorities that we have in the Department for Family and Community Services, particularly in support of families.

Prior to that he said:

> The member for Elizabeth has got it wrong again.

I find that curious, because I do not think I have it wrong at all and I will explain why. The old adage 'Actions speak louder than words' certainly applies to the Minister for Family and Community Services. This Minister stands up in this House, or speaks to the press, and continues to assure us of his Government's commitment to families. But I say, 'Let us look at his actions.' When we look at his actions, we see a quite different story, one which he fails to address in any way.

I refer to a few programs which were specifically set up to support families and which have fallen under the axe since he became the Minister for Family and Community Services. I mentioned Carelink earlier today: 45 hours of family support worker time was taken from Carelink and, as a result, the whole set-up of Carelink collapsed. The Health Commission, the Department for Education and Children's Services and the Department for Family and Community Services contributed to the Carelink program and, when the funds were withdrawn, the whole set-up collapsed. It was a major program supporting families.

Further, because of changes by the Minister to the guidelines for anti-poverty funding, the Famcare program at the Elizabeth Mission lost 38 hours a week and, as a result, that program has collapsed. In my electorate, and in the District of Napier—in Elizabeth-Munno Para—the collapse of these programs, coupled with the withdrawal of the $1.2

million home visiting program—which was to be funded by the Health Commission—and the withdrawal of funds to the Para Districts Counselling Service—also by the Minister for Health—has meant that basic programs which support families have been wiped out.

The Keeping Families Together program is one that works not only in the northern area but also in the southern area through the Catholic Welfare Services. I specified those two programs in my question today. It is interesting that the Minister was woolly and muddled in his response, mixing it up with being insulting to me. He tried to muddy the waters and fudge the fact that there have been cuts to family programs. But a further issue is that there is no certainty whatsoever in relation to the Keeping Families Together program. That program started in October 1993, being a Labor Government initiative—something that the Minister failed to acknowledge. The Anglican Community Services program started in October 1993; and the Catholic Family Welfare Services program, as part of Keeping Families Together, started six months later. But they were initiatives of the previous Government.

Those programs were funded through children's payments, a line under Family and Community Services, on the basis that they would probably produce savings from children's payments. When those programs started, both organisations in receipt of the funds pointed out that there would probably be no savings as a result of their efforts under that budget line. They pointed out that, as soon as they filled a gap, more children would appear to take those funds in terms of need in the community. At the beginning they warned that monetary savings were not likely to result from those programs.

Arguing the value of programs such as these, simply on dollars and cents, is a completely false argument. Over the two years that those programs have run, there has been a success rate in excess of 75 per cent, that is, a 75 per cent success rate in keeping children out of placements with foster parents—in other words, keeping children with their families. They have seen more than 160 families and have kept 205 children out of placement. At an average placement cost of $25 000 per child, they have actually saved this Government $5.2 million.

The Government has cut funding from $1 million to both those agencies to $109 000 each. That amount will be committed in June this year and it should last for about six months. After that, who knows? The Minister had the nerve to say earlier today what a wonderful job these programs were doing and to tell us that he had not made a final decision about these programs and that perhaps something might happen after all. It is about time the Minister and his department made clear to everyone exactly what they have in mind in terms of support for families. I am sick of hearing the Minister stand up and avow his commitment to families and, at the same time, make all sorts of excuses when faced with the reality that he is withdrawing resources and causing these programs to disintegrate, thereby having a devastating effect on families.

I also point out that it seems that the Department for Family and Community Services is all over the place in its planning and the implementation of these programs. The people in the field do not know what is happening; they do not know what will happen in two, three or four months. What a way to run a department; what a way to provide for a community. Family and community services is a long-term commitment: it is not something at which you throw money for two or three months and then take it away. Where is the planning, the vision or the commitment? As I said before, actions speak louder than words. As far as the Minister is concerned, his actions have shown little commitment to families.

Mr BECKER (Peake): I am glad that the shadow Minister for Health is in the Chamber tonight, because she just said that actions speak louder than words, and the people of South Australia showed by the way they voted at the last Federal election that they were not going to be confused between Federal issues and issues of State importance. Secondly, they showed that they were not going to allow the issue of the privatisation of Modbury Hospital to interfere in their voting patterns and the trend in the electorate of Makin, where the Federal member did everything he could to encourage the people to vote for the sitting member using State issues.

Let us put on the record some of the issues involving Modbury Hospital. After the scare campaign that has been used by the Labor Party, it is important to note that Modbury Hospital has benefited from the contracting out of its management, and that is the point that the Labor Party cannot seem to understand—it is the contracting out of management, be it for water, hospitals or whatever else. It is the same as Trades Hall contracting someone to do the cleaning or someone contracting a person to do the garden. It is the same as every union that hires staff from an employment agency. They contract to employ those people, and there is not one union in this State or in this country that employs more people than is necessary. I have never known a union to be over generous in employment of staff. In fact, we have heard complaints; we even learned of the Labor Party candidate for Lee who lost his job because of the falling membership of his union. That shows the high regard in which he is held by the union movement and by the Labor Party. So, the whole point—

Mr Atkinson interjecting:

Mr BECKER: The little Mafia member standing for the Labor Party in Peake will learn the biggest lesson in politics of his whole career. Fancy putting up a 26 year old to do a man's job.

Members interjecting:

Mr BECKER: We have not seen Vic. Vic has been given the big flick; I do not know where he is.

Mr Atkinson interjecting:

Mr BECKER: You hear wrongly again.

Mr Atkinson interjecting:

Mr BECKER: No, he is not, because he wouldn't get a look in. You have to be wary of the wily old fox. Anyway, I want to place on record the wonderful success of Modbury Hospital in the past 12 months. As we know, it has not been privatised. The Modbury Hospital management has been contracted out and, by doing that, the Government retains the ownership of the hospital, the grounds and all the equipment. After the first 12 months the benefits to the community served by Modbury Hospital include: an extension of the ear, nose and throat outpatient clinic section; and an increase from 78 patients in 1994 to 329 patients in 1995 for ear, nose and throat surgery.

I can well remember a few years ago under a Labor Government the enormous pressure that was put on that clinic at the Modbury Hospital—how the children were being referred to the Children's Hospital and having to join a long queue to receive assistance in the ear, nose and throat area.

So bad were the facilities under the Labor Government that constituents from that area even contacted me in my electorate seeking assistance and support to have their children attended to without undue delay, and we were able to help many of them. We have appointed an associate professor of medicine for Modbury, and there has been the appointment of an outreach nurse to provide support for patients returning to their homes, and that is also happening at the Queen Elizabeth Hospital.

Something that the Labor Party cannot understand is an outreach nurse. So, whilst we are jumping up and down at the fact that people are being turned away from hospitals after surgery within a day, sometimes within hours, and mothers are giving birth to children and going home the same day, that has been happening in America since 1980.

I was visiting a hospital at a university in North Carolina, and the medical practitioner I was to have dinner with that evening was a little delayed because he had to deliver a baby. I said, 'How are the mother and baby?' and he said, 'They're going quite well; they're on their way home.' I said, 'I don't believe this.' He said, 'We don't keep people in the hospital. She wants to go home and look after other children; she's quite well, and it was a normal birth. There are no complications that I am aware of and I will see her again tomorrow morning, but we also have outreach nurses and we provide any emergency assistance she needs if anything should go wrong. But it shouldn't, because she has already had two other children.' We seem to be horribly spoiled in this country, or we do not understand or want to understand that, whilst we believe that we should have the best of everything—and I totally agree that we should have the best of everything—at the same time we do spoil ourselves a little and are not prepared to look after ourselves as we should.

Many other countries of the world do not get facilities such as this whatsoever, although I am not saying we should lower our standards one little bit. We should always be wanting to improve them, to increase those standards and, certainly, the quality of patient care in our hospitals. Modbury has increased hospice beds from six to eight. When the Government came to office there were more than 9 000 people on the major public hospital waiting lists. As at November 1995 there were 8 115 on the booking lists of the six major metropolitan hospitals. This represents a reduction of 16.3 per cent during a period of record admissions to public hospitals. We are talking about small figures and small but reasonable percentages, but anything is an improvement on the situation under the Labor Administration.

The number of people who have been waiting for 12 months or more has fallen by almost 40 per cent. That is a significant performance by any department, any hospital or any Government in attending to the waiting lists for our hospitals. There is not one area that causes more anxiety or more problems than having to be placed on a waiting list for medical treatment. Nothing is worse than having to go to hospital and then being told, 'We are terribly sorry: you have been here a couple of hours, we cannot do your procedure today. Can you come back in a couple of days?'

It is like being on a waiting list for an aeroplane or a train. Some people are prepared to go on a waiting list to take the first opportunity; others are not. But the most significant feature of our health service, as we have discovered since coming to government, is that, under the previous Federal Government's health policies, the increase since 1989 in the number of South Australians relying on the public hospital system has been 142 800. Labor's failure to encourage people to take out private insurance has added $124 million to the cost of providing health care in South Australia.

And that is the rub: some people do not want to take out health insurance, and fair enough as some cannot afford it. But in years gone by, those such as I who could afford health insurance were prepared to meet the costs. But such has been the campaign by the Labor Party, going right back to when John Cornwall was Minister and Peter Duncan was the Federal Minister for Health and I was shadow Minister, that I was encouraging people to take out health insurance, making provision for it, when the Labor Party said, 'No, don't take it out.' In the short period since 1989 we have seen that it has cost us an extra $124 million. Every bed in a hospital costs us more than $400 per day to maintain. Just to have the bed there costs something like $450.

If you get an insured patient in that bed, that helps tremendously and we can cover the cost. If they are not insured, the State has to pick it up because, in this same period when we have had a $124 million cost in providing health care in South Australia, the Federal Government has increased public health funds to South Australia by only $41 million. Carmen Lawrence—whom I met some years ago and who has a terrible temper and a very short memory—can say all she likes, but the people of South Australia and the people in the electorate of Makin as well as the people in the metropolitan area fully realised that our health system was not as bad as the Labor Party was making it out to be, and that South Australia had missed out. Since 1989 we have missed out on $83 million.

Motion carried.

At 6.20 p.m. the House adjourned until Wednesday 27 March at 2 p.m.