HOUSE OF ASSEMBLY

Thursday 11 July 1996

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

STATUTES AMENDMENT (ABOLITION OF TRIBUNALS) BILL

The following recommendations of the conference were reported to the House:

As to Amendment No. 1:

That the Legislative Council do not further insist on its disagreement thereto.

As to Amendments Nos 2 to 15:

That the House of Assembly do not further insist on these amendments but make the following amendments in lieu thereof:

Page 5, line 22 to page 7, line 8—Leave out clauses 9 to 20.

And that the Legislative Council agree thereto.

That the House of Assembly make the following consequential amendment:

Long title, page 1, lines 6 and 7—Leave out the words 'the Pastoral Land Management and Conservation Act 1989, the Soil Conservation and Land Care Act 1989,'

And that the Legislative Council agree thereto.

DE FACTO RELATIONSHIPS BILL

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

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

Motion carried.

PUBLIC WORKS COMMITTEE: PORT AUGUSTA HOSPITAL

Mr OSWALD (Morphett): I move:

That the twenty-seventh report of the committee on the Port Augusta Hospital construction of a new 87-bed acute facility be noted.

The South Australian Health Commission proposes that a new 87-bed acute hospital facility be built at Port Augusta. The facilities are to be constructed by a private sector consortium comprising BZW, Baulderstone Hornibrook and Woodhead Firth Lee. It is proposed that the new facility once completed be leased to the Port Augusta Hospital Limited for a period of 25 years with the option to renew for a further two five-year terms. The Port Augusta Hospital services 15 000 people who live within the Port Augusta local area plus an additional 31 000 persons who live in the Flinders and Far North region. The existing hospital currently provides 80 operational beds, which is adequate for the number of people it services. However, the hospital is inappropriately designed for the efficient delivery of services and is in need of major repair and upgrading.

The committee conducted an inspection of the existing Port Augusta Hospital and was alarmed to see the facilities available, particularly for accident and emergency patients. The treatment areas were limited in both number and size, and this caused members to question how staff manage the 29 000 incidents that present to casualty each year. Overall, the existing facilities are poorly designed. The wards offer very little space for the number of patients they are expected to accommodate, and shower and toilet facilities are limited. The proposed new casualty area will be in excess of twice the size of the existing area and will be designed to eliminate many of the current problems. The general ward area will consist of mainly twin-share wards with some private rooms.

In addition, the proposed new hospital will provide new services for Aboriginal patients. These patients have unique social and cultural needs requiring flexible care. As a result of different cultural beliefs amongst the Aboriginal communities, members of different Aboriginal tribes will not share facilities with one another. If individual needs cannot be met, patients may leave the hospital, receiving only minimal attention, thus risking their own personal health. The eight-bed 'step down' facility proposed as part of this development, although not exclusively for Aboriginal patients, will meet many of the Aboriginal community's needs and will take significant pressure off hospital accommodation. In addition to the benefits that will accrue to patients as a result of the new facility the Port Augusta community and South Australia in general will benefit from the private funding, operation and management of a public facility.

In summary, the committee strongly supports the proposal to build a new hospital at Port Augusta and believes that the proposed design will meet the desired objectives. It should be noted that in the course of taking evidence Port Augusta council had an alternative point of view. I refer members to page 7 of the report under 'consultation'. The committee heard submissions from the following personnel when it visited Port Augusta: Chief Executive Officer, Port Augusta Hospital and Regional Health Service; Chairman of the Board, Port Augusta Hospital and Regional Health Service; Regional Director, Country Health Services Division; Consultant, Private Development Unit, South Australian Health Commission; Project Manager, Services SA; Architect; City Manager, City of Port Augusta; and the Speaker of the House of Assembly, the member for Eyre.

It became evident to the committee that there had been wide community consultations and certainly, in our discussions with the board, members of staff and the Health Commission, we were assured that there had been formal meetings with members of the public about the hospital. The committee heard evidence about the project from Mr Ian McSporran, Port Augusta City Manager, and I quote from the report as follows:

> Mr McSporran has expressed concern regarding the hospital board's reluctance to acknowledge the [council's]. . . concern relating to the number of beds to be provided in the new facility.

The committee spent a considerable amount of time analysing the submission by the city council and in some respects it is sympathetic to some of its views. Although there has been a recent reduction in the number of beds provided at the existing hospital—they are looking at a drop from 106 to 80, which is what incurred the displeasure of the Port Augusta council—and having considered the reduction in the number of beds from 106 to 80 the committee is satisfied, having regard to the efficiencies which the new layout will bring about and bearing in mind that the hospital is moving from a tower construction, which is highly inefficient in the delivery of medical services, back to an 87-bed hospital in the new facility, we believe it will be sufficient to meet community needs.

There will be a significant improvement in the provision of hospital and medical services in the city and surrounding districts. It became apparent with the newly designed hospital that, with a new layout and new efficiencies and because they

were moving back from 106 to 80 beds, it could not necessarily be concluded that it would be an inferior hospital. Quite the contrary: we believe the facility to be provided to be adequate.

The committee has one criticism, and I would like to put it on the public record for the future. When agencies bring a project before the committee, they should bring the whole project. For hospitals in the past, the total project has been brought to us, and we could look at it in sections. In this case we have approved the 87 bed acute facility, but there is still work to be done on what happens to the existing tower block and what goes into the tower block. It would have been desirable if we could have seen the total plans from A to Z. As we state in our report, we were asked to consider the 87 bed acute facility. We believe that it is highly desirable that the project proceed. It will do a lot for the provision of medical and hospital services in the city of Port Augusta and in the region to the north, the east and the west of the city of Port Augusta. So, pursuant to section 12C of the Parliamentary Committees Act 1991 the Public Works Committee reports to the Parliament that it recommends that the proposed public work proceed.

Ms STEVENS (Elizabeth): I support the comments of the member for Morphett but would like to draw attention to a section of the report which talks about certain functions that were not included in this new refurbishment. This is something to which I would like to draw members' attention because, to some degree, it is a concern. I quote from our report as follows:

> The proposed new facility will be approximately 7 895 square metres and will house the majority of hospital functions. Those functions not included in the new building will be temporarily accommodated in the existing tower block building. These functions include maintenance, stores, pathology, domiciliary care, conference rooms, administration and consulting rooms. The committee is concerned that these functions were not included in the new facility and considers that the planning process associated with this proposal has not been as extensive as has been evident in other Health Commission projects the committee has examined.
>
> Members would have preferred to have access to the long-term plans of the hospital, which were not completed at the time the committee heard evidence regarding this proposal. The main area of concern to the committee is the long-term future of the existing tower building, which will be determined in June 1997, and the upgrading of the services within.

I believe that the community of Port Augusta should have expected to see the upgrading of the entire hospital, rather than having a section done. Certainly, the Minister indicated that it would be the entire hospital when he made his announcement. Instead, what we have is only a section being done, with those parts of the hospital that I read out still situated in the old tower block. One needs to think about how efficient it is to run those two different sections, rather than having them completed all in one go.

The committee's other concern was that there was no presentation of ongoing plans. Normal practice for the committee, when a project is going to be staged, is that the agency comes with its plans and the stages and time line for the implementation of those stages are documented so that we can see quite clearly what will happen and when the project will be completed. That was not done in this case and, as the Presiding Member mentioned, we have noted concerns about that. It is up to all of us with an interest in Port Augusta to ensure that what the Minister for Health and the Health Commission assured the committee will happen does in fact happen. The committee's final comment in that paragraph is as follows:

> The committee will closely monitor progress in this area, and expects to see plans and appropriate development time lines at the earliest opportunity, in line with the commitment of the Minister and the Health Commission.

I assure the House that both my colleague the member for Taylor and I will be watching this with close interest. We will be seeking assurances and looking for evidence from the Minister for Health and the South Australian Health Commission that, indeed, the rest of this project will follow and that the people of Port Augusta can be assured that the new hospital facility will encompass all the functions of the current hospital and not just part of them.

Motion carried.

JOINT COMMITTEE ON WOMEN IN PARLIAMENT

Adjourned debate on motion of Ms Greig:

That the final report of the committee be noted.

(Continued from 4 July. Page 1853.)

Mrs PENFOLD (Flinders): I congratulate the members of the Joint Committee on Women in Parliament for their comprehensive report, and I congratulate the South Australian Parliament for setting up and supporting this committee. Questioning the number of women in Parliament is recognition of a growing awareness of the mutuality of women and men in effective Government. Men and women often look at things differently; therefore, to have both views represented adequately is beneficial to the Government and the whole community. Traditionally, decision making (whether it be in the home, at work, in Government—at local, State and Federal level—in leisure or voluntary pursuits) has been a male province. It was a reflection of the idea that women and men did different work, with men's work valued and women's work devalued.

There have been many changes over the past few decades. The idea that certain jobs are not done by true men and that certain avenues are closed to true women is wavering—but it is still strong. We are seeing a change in attitude where some couples choose for the husband to stay at home and be a house husband, while the woman earns the family income. More people are coming to realise that this arrangement does not demean males nor does it disempower them; it is a visible recognition of partnering. Nevertheless, it is the women who most often bear the responsibility for family, thus ending up with a dual responsibility when they choose a parliamentary career or some other full-time work. As the member for a rural electorate, I must point out the additional stresses due to travelling and being away from home overnight—something with which urban members do not have to cope. It cannot be denied that children and family responsibilities work against a political career for women when children are young.

The committee has rightly identified the problems of juggling family life with life as a member of Parliament. Nevertheless, I do not believe that child care facilities and altering parliamentary sitting times will necessarily attract more women—particularly country women—to Parliament. The committee's recommendation on child care facilities and for space for members to meet with their families in sitting times relate more to city-based members and are largely irrelevant for country members. Nevertheless, I support the

committee's recommendation in its interim report that space be made available for members to meet with their families. Parents make a considered decision to have children, and children should be given a priority of care until they move out of the family home or when they no longer require parental care.

It seems more appropriate for a couple to decide on who will be the main care giver for the children, particularly during the children's early years. What is required is a change in societal mores. While there have been isolated instances of change, such as the previous reference to 'house husbands', I do not believe there has been a widespread change in community attitude. What would advantage women is more male role models, whereby men could see that staying at home and caring for the children and home did not negate or destroy their manhood. However, I cannot name a high profile male role model in this sphere—although, on occasions, my husband Geoff has jokingly been referred to as Dennis, after Dennis Thatcher.

The heavier workload of a member of the governing Party has not been picked up in the report. The morning prior to the House's sitting is often devoted to meetings; therefore, changes to the sitting hours will transfer this work to some other time, possibly late at night, resulting in no effective change to the time spent in Parliament. Spreading sitting hours over more days would again disadvantage rural members, who would then be forced to spend less time in their electorates and with their families. I believe that a deeper and more fundamental change is required for women to consider a parliamentary career than tinkering with sitting dates or providing child-care facilities. While these can and do have an effect in some cases, they do not address the root causes of women's not being represented in Parliament.

I support the committee's recommendation that the Federal Government designate the cost of child-care as a fully tax deductible campaign expense. The Commonwealth Women's Parliamentary Group looked at the barriers to women's participation in Parliament and noted a recommendation from the Canadian Royal Commission on Electoral Reform and Party Financing that I believe would be worth implementing in Australia, namely:

> Ensure that all public and private employees have the right to an unpaid leave of absence, with non-salary benefits, during the election period to seek a nomination and to be a candidate.

I now turn to the issue of education about our parliamentary system. This is an area where change should take place. Our children should know how our system of Government works, including the process of selection and election of candidates and the work that members of Parliament do. When we talk about education there is an immediate fear that educators will use their influence and position to promote their own political beliefs and the Party they support. Unfortunately, there is substance to these fears. A teacher in Port Lincoln who was criticised for promoting in the classroom the Party he supported commented that he believed he had the right to do so in the school and that it was up to those with differing views to present those views. Such an attitude does not inspire confidence in the school education system to provide a balanced, unbiased and non-Party promotional understanding of politics, yet ignorance does nothing for anyone. Therefore, the negatives have to be identified and negated, if not completely then as much as possible.

Children are influenced by the ideas that they absorb throughout their school years. One of the ways of increasing the number of women in Parliament is to present it as a career option for girls. Education about the parliamentary system can then guide a choice of study; for example, law, business and journalism are three valuable streams. I support the committee's recommendation on education.

I note the committee's feeling that the parliamentary bear pit is so alien to women that it is a barrier to women's standing for Parliament. I do not believe that that on its own is any more a barrier than that a career in correctional services would be anathema to some, while others would be unable to face the stress and blood of an operating theatre. In fact, some women politicians have shown remarkable aptitude for competing in the bear pit: Maggie Thatcher certainly had no problems. I was recently told of positive changes in attitude and behaviour in a football team due to the coach's philosophy of life and the value he placed on human relationships. Just one person can make a difference. It should not need 50 per cent of women to bring about such a change to Parliament. In moving from being a member of the public to being an elected member of Parliament, a candidate must win in two distinct areas. A prospective candidate must first convince the Party to select her and then convince the electorate to vote for her. These two areas are not the same and may even be contradictory. I quote from the committee's report, as follows:

> One of the central issues of power as far as standing for Parliament is concerned is the decision as to who is to be selected to stand as a candidate for the political Party at the next election.

It is my experience that those in a Party entrusted with choosing a candidate go for the one who they believe has the best chance of getting elected. I believe that political Parties will continue as a major force in the Australian political system and that, therefore, Parties must be more responsive to the volatility of the electorate. Female candidates may be far more successful than male candidates in swinging electorates. Public support for political Parties is not as entrenched and unchanging as it was a few decades ago, and public opinion does influence what Parties do. I support the notion that candidates be given training in parliamentary committee work, speaking on the floor of the House and other parliamentary procedure. Even for those candidates not elected, a greater understanding of the working of Parliament would be an advantage to the community.

Of course, Parliaments are not the only source of power in our society, but they are a visible source. Therefore, the number of women in Parliament becomes important in influencing other, less public, power areas, for instance, company directorships. I do not favour a political Party setting targets for the number of women preselected. This can mask other factors and give the notion that a Party is performing well in this area when the reverse may be more accurate. For example, if all the candidates in marginal or non-winnable seats were women, the Party might well have endorsed a significant proportion of women. However, the underlying principle would be that nothing had changed.

Parties must select women candidates for what are presumed to be safe seats, always realising that a safe seat at this election may be a lost seat at the next, particularly taking into account the redistribution of electorates. Any candidate, male or female, endorsed by a Party should have the confidence of the Party that he or she will be able to do the job well. The ultimate aim of any Party should be to have a balance of men and women elected to Parliament. No-one can know with certainty prior to an election who will and who will not be elected. Nevertheless, if about 50 per cent of candidates are women—a distinct change from what happens

at present—then gender balance is more likely to occur. It may be that in a few years we will be asking for 50 per cent representation by men in Parliament in the same way as we are now seeking 50 per cent representation by women. I have been told that this has happened in some organisations where quotas were set for the participation of women in the decision-making process.

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

Mr LEGGETT (Hanson): I support the motion moved by the member for Reynell. I shall speak briefly on this matter and highlight a few points from the report of the Joint Committee on Women in Parliament, which was tabled on 29 May by the member for Reynell. I was privileged to be a member of that committee. I was one of two males making up the membership of six, the other being the Hon. Angus Redford from another place. I commend the Chairperson, the member for Reynell, for her untiring work during the past 18 or so months. Hers was a totally committed effort, and I congratulate her. I was very impressed with the many and varied witnesses whom we interviewed and who came from a wide cross-section of our community.

The report makes a series of recommendations aimed at increasing the numbers and effectiveness of women in the political and electoral process. The report states:

> As Parliaments make laws and represent all groups in society, the composition of Parliaments should broadly reflect the composition of that society.

The committee took evidence and received submissions from a broad cross-section of organisations and individuals, including political Parties and former and present members of Parliament. The committee found that Parliament was fundamentally a male domain, highly competitive and essentially an alien environment for women. It observed that the world of politics is considerably more than full-time and that the successful maintenance of family responsibilities and a parliamentary career is an exceedingly difficult and unattractive option for many women. The report identifies three major hurdles faced by women wishing to enter a career in politics: first, making the decision to stand for Parliament; secondly, getting selected as a candidate; and, thirdly, the voting procedures.

While a detailed account of the committee's recommendations can be found in the report, the committee suggested that the following measures would help to remove these hurdles: first, that Governments should encourage greater emphasis on political education throughout the community; secondly, that women should be encouraged to stand as elected representatives at all levels of government; thirdly, that political Parties should be encouraged to remove the barriers which prevent women from fully participating in political life; fourthly, that community debate on electoral reform should be encouraged in an effort to achieve equal numbers of men and women in Parliament; and, finally, that Parliament should review its practices and procedures in order to make it a more female-friendly environment. I repeat, I was privileged to be a member of that committee, and I support the motion.

Ms WHITE secured the adjournment of the debate.

MEMBER'S PLAGIARISM

Mr FOLEY (Hart): I move:

> That this House condemns the member for Elder for plagiarising, without acknowledgment, Mr Lance Worrall, Economic Adviser to the Leader of the Opposition, from the book *Making the Future Work* in his speech on the Appropriation Bill.

It was brought to the Opposition's attention that, unfortunately, the member for Elder some weeks ago in an Appropriation Bill speech chose to plagiarise the work of another person without due recognition of that person's effort. I understand that members do call on the resources and the contributions of a wide number of people in drafting and bringing together a worthwhile speech, but there are certain principles of which we must be conscious. In particular, one does not quote full slabs of another person's work without giving due recognition.

We know that a similar case occurred recently in the Federal Parliament, when a Liberal backbencher, Richard Evans, was required to apologise to that Parliament for bringing the House of Representatives and his Liberal colleagues into disrepute. I understand that that happened at the instigation of the Prime Minister, John Howard. It will be interesting to see whether the Premier of this State requests the member for Elder to do likewise. I will quote a few passages of the plagiarised work. I will not quote all the passages involved, because I would be here for a good 20 minutes. The member for Elder said:

> The horizontal network is where smaller firms are linked by a provider of collective services such as joint marketing arrangements, shared technology facilities, access to advanced technology, information, joint investments, and so on.

The author of the published works said:

> . . . a horizontal model, in which (often small) firms are linked by a provider of collective services such as joint marketing arrangements, shared training facilities, access to advanced technology for demonstration or jobbing purposes, joint investments, development of common product standards, and so forth.

The plagiarism is quite clear there. Another example is where the member for Elder said:

> The approach of direct policies and measures towards individual enterprises is doomed to be ineffectual, particularly in a regional economy like ours that is increasingly exposed to international competition.

The work of the author that was so openly plagiarised was:

> This being so, policies that seek to arrest or ameliorate industrial decline by measures directed to individual enterprises are doomed to be in effectual, particularly in a regional economy increasingly exposed to international competition.

They are just two examples. I have many more if members opposite would like. Perhaps I will give another example, where the member for Elder said:

> . . . the vertical network. This network is one where businesses are in a relationship of interdependency in a production chain of this kind that links the major producers with suppliers of components such as tools, glass, plastics, textiles, and so on.

The author of the plagiarised work said in his published work:

> . . . networks of a *vertical* character exist and can be strengthened. Here, firms are in a relationship of interdependency in a production chain of the kind that links the automotive majors, their suppliers of components, tools, glass, plastics, textiles, and so on.

The plagiarism is quite obvious. Perhaps for the education of the member for Elder, I will explain the definition of 'plagiarism'. First, I quote from the University of Adelaide Student Guide and Timetable of 1996, as follows:

> Plagiarism consists of a person using the words or ideas of another as if they were his or her own. The university regards plagiarism as a very serious offence.

Another quote from that student guide is as follows:

> Plagiarism can take several forms—using very close paraphrasing of sentences or whole paragraphs, without due acknowledgment in the form of reference to the original work.

So, there is absolutely no defence by the member for Elder for undertaking outright plagiarism. What is even more interesting is that we have to look at the context in which the member for Elder was making his speech. I am sorry that the member for Elder cannot be in the Chamber but—

The Hon. Frank Blevins interjecting:

Mr FOLEY: I am sure he is listening. Perhaps if I had been caught out like this, I would not want to be in the Chamber, either. The member for Elder spoke in the Appropriation Bill debate, when he defended and supported the Government's budget. In that speech, he decided to make direct quotations and paraphrases of work to support the Government's arguments and the thrust of its economic development program and of its budget framework.

The interesting thing is what and whose work he plagiarised. He did not quote a great, conservative economist. He did not quote a great, conservative politician. He did not quote the former head of the Federal Treasury, John Stone.

The Hon. Frank Blevins: He wasn't quoting.

Mr FOLEY: I am sorry; I should have said, 'He did not plagiarise.' I thank the member for Giles for correcting me. He was not quoting: he was plagiarising. That is the whole point; I am sorry. He did not plagiarise John Stone or John Hyde, another great right wing conservative economic thinker. No, in defence of this Government's right wing conservative economic policies, the work he plagiarised to support that position was none other than that of Mr Lance Worrall.

For those who may not know who Mr Lance Worrall is, he is a graduate of the Adelaide University, presently employed as the economic adviser to the Leader of the Opposition. So, the member for Elder quoted from a chapter in a book which Mr Worrall, in a previous life, had written about economic policies, which one would have to say was from the left of centre thinking, very much supporting issues of intervention into the economy, and supporting very much the policies that the Labor Party would be more likely to espouse than those of the conservative Government that we have in this State. The member for Elder chose though to plagiarise—to copy, to pinch—the work of a noted left of centre economist in this city and someone employed by the Leader of the Opposition.

I do not know what that tells one. It either says perhaps the member for Elder does not believe in the economic thrust and policies of this Government and was giving the Premier a gentle nudge; or perhaps the member for Elder did not realise the difference between left wing, or people with a more interventionist approach to the economy, and the right wing free market policies of this State and Federal Government. Perhaps the honourable member did not understand the difference. It may be that the honourable member was less than careful in the way in which he prepared his speech and did not care what he was plagiarising as long as it sounded as though he had put some effort into preparing a detailed speech. Whatever the reason, it is simply for the member for Elder to explain to the Parliament and I look forward to his explanation concerning why he chose, in one instance, to plagiarise the work of another person, but then to actually plagiarise the work of the economics adviser of the Leader of the Opposition, which certainly takes some beating.

I referred earlier to an incident concerning a Federal Liberal backbencher, who, only in recent weeks, was found guilty of the same offence. I suspect that Liberal backbencher quoted someone of the same political ilk, the same political background as himself—

Mr Atkinson: He had the decency to apologise.

Mr FOLEY: Yes, and I understand at the request and demand of his Leader. This is also very much a challenge to the Premier to make a point known. I mentioned earlier what the University of Adelaide does in terms of its definition of plagiarism. What are the penalties or the consequences of deliberate plagiarism as far as our pre-eminent university in this State, the University of Adelaide, is concerned? The head of the department interviews the student alleged to have plagiarised. If there are no extenuating circumstances and the student admits to the offence, the student receives zero marks and fails the subject. All cases of plagiarism are recorded in a confidential record of the University of Adelaide's Board of Conduct. The offence of plagiarism at a university level is quite significant. In fact, as I said, the student runs the risk of failing the subject and perhaps even expulsion from the university, if the offence is serious.

I do not know what offence or penalty the Government, or this House, may see as befitting the member. I know, like me, the member for Elder is only a new member in this place and I know, as we all do, that the resources available to us to prepare our speeches are limited and that it is a real effort for us to prepare detailed, well-researched speeches. I acknowledge all those complications in the life of a backbencher, or a member of this House, but truly one can perhaps be a little more open, a little more careful in the way in which one prepares a speech and simply not quote great slabs of work from another author. Perhaps, considering the tolerant nature I have, I could almost have forgiven the member for Elder had he forgotten to acknowledge just one simple quote—

Mr Atkinson: Or an act of contrition.

Mr FOLEY: Yes, perhaps even then I would have been prepared to not proceed with this motion—but none of that.

An honourable member interjecting:

Mr FOLEY: Well, not quite that. He chose to quote pages and pages. It is important that we also bring to the attention of the House just who the author was. I know there are members opposite, such as the member for Norwood, who was once one of us. When I say 'one of us', he was a member of the socialist left of the Labor Party, but he was very much one of the Labor Party. I understand that he even attempted to become a member of our State Executive and was on a ticket.

Mr Cummins: Frank Blevins voted for me.

The Hon. Frank Blevins interjecting:

Mr FOLEY: We have a conflict—I do not know whether the member for Giles supported the member for Norwood. I suspect that other members of this Chamber at some point in their life have either been a member of the Labor Party or certainly been sympathetic towards the Labor Party.

Mr Atkinson: The member for Lee.

Mr FOLEY: The member for Lee was a former member of the Labor Party, a member of the Spence sub-branch. I do not know about the member for Hartley. I do not think he was.

The Hon. D.C. Wotton: I do not think I was.

Mr FOLEY: No, you are safe. Uncle Tom would not have allowed you to get away with that one. Perhaps the member for Elder is wishing that he was one of us. Perhaps he is deciding that his margin is so slim that he might need

to repackage himself to get the disaffected Liberal marginal vote and somehow attract some Labor thinking people to his cause in the district of Elder. He will have little chance of that because the district of Elder will judge the member for Elder on this Government's performance and a whole series of issues. Perhaps trying to make a move towards the Labor Party is a little late in coming and a little useless because certainly it will not be enough in the end to save him from electoral defeat, which I am sure will be before him at the next election.

In conclusion, we must have a standard in this House. The Federal Parliament led the way and made it very clear with its decision to require the Federal member, Richard Evans, to apologise to the Federal Parliament. The least we can ask is that the member for Elder do likewise. Let it be a timely reminder to all of us—even to members on this side of the House—that in preparing speeches we cannot quote the works—certainly the published works—of other people without due recognition of that person's work. We should all reflect on this very unfortunate chapter in this Parliament's history.

Mr MEIER secured the adjournment of the debate.

PLAYFORD, SIR THOMAS

Adjourned debate on motion of Hon. M.D. Rann:

That this House, on the one hundredth anniversary of his birth, acknowledges the enormous contribution of Sir Thomas Playford to the development of South Australia, and his commitment to the public ownership of important community assets such as the Electricity Trust of South Australia and the South Australian Housing Trust, which Mr Lewis has moved to amend by leaving out the words 'commitment to the public ownership of' and inserting in lieu thereof the words 'determination to establish and operate in the public interest, by developing this State's economy, in an open accountable way'.

(Continued from 4 July. Page 1856.)

Mr ROSSI (Lee): I support the motion, which I seconded. I am pleased to have this opportunity to recognise the achievements of our greatest Premier, Sir Thomas Playford, in this the centenary year of his birth. As a young lad I remember Sir Thomas delivering his messages on television to the people of South Australia just before the news bulletin would begin. This practice had grown from the weekly addresses that he gave on Radio 5AD for many years, starting on 2 February 1940. This was his way of speaking directly to the people he had worked so hard for and for whom he had achieved a great deal.

Sir Thomas Playford was a man of great integrity. Like his grandfather before him, he earned the nickname 'Honest Tom' and was well respected by members from both sides of this House. South Australians knew that he was a man they could trust. They knew that he would put the interests of South Australia before any other consideration. When he retired from Parliament after serving 26 years and 226 days as Premier he was not a wealthy man. He had not used his office for personal gains. There was never any suggestion of corruption or scandal during his entire Premiership—a truly remarkable accomplishment.

Tom Playford set very high standards and ensured that they were maintained. In the 1970s and 1980s the values of thrift, efficiency and frugality were ignored by many of those in Government but in Tom Playford's time they were the core of public policy. His Under Treasurer, Gilbert Seaman, said:

I have never known any politician so frugal in the administration of public money.

By pursuing policies which ensured that taxpayers' money was not wasted, he held the trust of the people and was able to rebuild South Australia out of the ashes of the Great Depression.

Playford entered Parliament in 1933 and at that time South Australia's population was around 500 000. Only 42 000 people worked in the factories, and the annual value of secondary industry was around $32 million. By the time he had left the Premiership our population had grown to more than one million people. There were 120 000 people working in factories, many of those people having been attracted to the State by the policies he pursued, and the value of secondary industry production had reached $1.1 million. The wealth of the State had more than doubled.

Playford recognised, just as Premier Brown and this Government have recognised today, that to bring new industry to our State he had to reduce the costs involved in operating a business in South Australia. Taxation had already been reduced by the Butler Government when company tax was reduced to a flat 2 per cent compared with 6 per cent in New South Wales and 8 per cent in Queensland. South Australia became the lowest tax State in the nation with the highest level of industrial productivity and industrial peace. In one year in the 1950s, 122 new industries were established in this State. As a result, the official statistician recorded that South Australia had only 46 people unemployed out of a population 797 000. The Premier's biographer, Sir Walter Crocker, said:

As regards wages and purchasing power and employment and benefits . . . South Australians had never had it so good.

Some members opposite have tried to claim that Sir Thomas Playford was a socialist. Like the former Prime Minister, Paul Keating, they are trying to twist the historical facts to suit themselves. This cannot be done. Sir Thomas Playford was no socialist. He would have been insulted by such an allegation. When he was first elected Premier, he said that his Government represented no one class or section of the community. His stated view was:

Socialism, including its offspring, the over-bloated bureaucracy, killed initiatives and enterprise.

Hugh Stretton, a former senior public servant and a socialist, said of Playford's achievement:

Much of the achievement is bipartisan, not specifically socialistic. If anything, it represents a victory for productive industrial capitalism over land grabbing 'property capitalism'.

In a speech made at the annual general meeting of the Liberal and Country League, Sir Thomas said:

Our own organisation is a Liberal organisation and we don't stand for any particular class of the community. . . we are just as anxious to look after the right sort of working man as the business man.

These are hardly the words of a socialist. I suppose it is understandable that members opposite come into this House and try to claim Sir Thomas Playford as their own. I would suggest that this is merely an attempt to cover up their own embarrassment over the disastrous Labor administrations that followed the end of the Playford era. With the election of the Walsh Labor Government, followed soon after by the ascendancy of Donald Dunstan, South Australians were treated to a fairy floss philosophy of public administration—all light, pink and fluffy, but without any substance or lasting benefit. As Sir Walter Crocker wrote:

Much of what Playford stood for was then dismantled.

The first budget introduced by the new Labor Government was the highest ever and included a deficit. This deficit grew in 1966 to an amount larger than had been budgeted for and was to set the trend of Labor administrations for the next 20 years, until the final collapse of the State's finances under the Bannon regime. Even in the 1970s Sir Thomas was concerned about the level of rising taxes under the State and Federal Labor Governments. He believed that taxation had reached a point where it had become a disincentive to creative enterprise productivity. The reason for industries to invest in South Australia was being taken away.

The advantages he had worked so tirelessly to achieve were being thrown away in a cavalier fashion. Good Government was replaced by bread and circuses. Sir Thomas's views on other areas of Government are also worth noting. He had long feared the growing trend toward giving greater powers to the central Government in Canberra. He believed that the High Court had aided this drift to centralism and that there was a problem as a result of having High Court judges appointed by the Commonwealth Government. This remains a serious issue and was recently discussed at a meeting of the Sir Samuel Griffith Society held in Adelaide.

Members will know that I have a particular interest in the fight against crime, and I would like them to know that, in his interview with Sir Walter Crocker, Sir Thomas said it was his view that, as the rate of violent crime rose, capital punishment would eventually be reintroduced. I believe that his words will prove to be prophetic. Sir Thomas Playford is undeniably this State's greatest Premier. His greatest strength was his ability to think practically. He never followed the dictates of some ideology conceived in the hallowed halls of academia. His Government pursued policies which were right for the times.

If we are to emulate the Playford success, as I believe the Brown Government is trying to do, the secret is not in the road he travelled but in the direction he took. No Government today can rely on high tariff walls to provide industries with a protective umbrella. The world is a different place, but I believe Tom Playford would have been just as successful in today's world as he was in his almost 27 years in power. Just as Tom Playford brought new secondary industries to South Australia, Dean Brown has established our State as a centre for the information technology revolution that is engulfing our world. We are the inheritors of Sir Thomas Playford's legacy. In this, the centenary year of his birth, we salute out greatest South Australian.

I would like to comment on the member for Hart's motion, in which he condemns the member for Elder for plagiarism. I think that Opposition members are not only plagiarising Sir Thomas Playford's speeches and policies, but they are also trying to claim his name and his body.

Mr SCALZI (Hartley): It gives me great pleasure to support the amendment moved by the member for Ridley. Whilst I acknowledge the overwhelming support of the Opposition in celebrating the centenary of Sir Thomas Playford's birth—South Australia's greatest Premier and one of the great South Australians of this century—I also acknowledge the member for Ridley's perspective, in that we are talking about not only a man's philosophies and ideological perspectives but a man who was a great statesman for South Australia. Sir Thomas Playford, above everything else, was a person who wanted to achieve the best for this State, and he did not succumb to any particular economic theory in order to achieve that. He saw the economic theory as a means to an end, not an end in itself. Those members who are quoting a particular economic perspective or theory are really misquoting Sir Thomas Playford.

Much has been said of the achievements of Sir Thomas Playford with regard to building infrastructure for South Australia in the post war era. I refer to the establishment of the Housing Trust, ETSA, the supply of gas, the supply of water to Whyalla, the township of Elizabeth, GMH and Chrysler, and Philips at Hendon. Today, I want to concentrate on the human qualities of Sir Thomas Playford. Members who attended the Playford oration by the Prime Minister at the Town Hall—and I acknowledge the presence of the member for Spence—would be aware of the impact that Sir Thomas Playford had on South Australia. I refer also to the unveiling of the statue of Sir Thomas at Norton Summit, which was sculpted by Jeff Mincham and which was attended by five former Premiers of this State of all political persuasions.

I now wish to read a letter from one of my constituents, Mrs Bianca Trotta, who knew Sir Thomas Playford. The letter states:

Dear Joe,

The current celebrations in honour of Sir Thomas Playford brought back for me fond memories of my early childhood, which I would like to recount to you. In 1927, my father arrived in Adelaide having migrated from his birthplace in Cadore, Italy, a small village in the Dolomite region next to the Austrian border. He had left behind my mother who would follow him a year later. My father's first employer in Australia was Sir Thomas, and he was given work in the very orchard still held by the Playford family today.

When my mother arrived, Mr Tom (as my father would call him) made available a cottage on the property for them to live. It is still there today at the bottom of the orchard below the main house. I was born on the property as were another two of my sisters, Pauline and Alma, and it became home to our family until 1938 when we moved to Athelstone where Gemma was born.

I grew up in those early years playing and going to Norton Summit Primary with Sir Thomas's children, Margaret and Pat. I remember my father with the other workers in the orchard, and Sir Thomas would always be there among them. Each Sunday, the great man would take my sisters and I along with his own children to Sunday School at the local Baptist church. We were Catholic, but because there was no church for us in the area we were welcomed along with the Baptist denomination. My mother was most grateful.

In 1938, my father left the employ of Sir Thomas as he sought further the other opportunities South Australia had to offer. When we left our orchard home Sir Thomas gave my father an amount of money as a gift and to help him set up a new home. My father being a proud man returned some years later to repay what he had always considered a loan. Sir Thomas refused any repayment, he said it was a gift.

The generosity of the man did not stop there. Just prior to the war outbreak Sir Thomas helped my father gain British citizenship (later to become Australian citizenship), and saved him from the problems other non-naturalised Europeans had in working and moving about Adelaide during the war years.

My father and mother never once tolerated an unkind word spoken of Sir Thomas, whose generosity and compassion gave them the opportunity of a better life which at the time was not available in the land of their birth. I was privileged to share the experience of the time and will carry the memory of Sir Thomas always.

Bianca Trotta (nee Staduan)

This letter shows a side of Sir Thomas which Jeff Mincham has rightly portrayed in his sculpture: a man beyond politics, a man of great humanity. In fact, I arrived in Australia in 1959 and the industrialisation that had taken place here had a part to play in that as well. We were supposed to go to Western Australia, which is where my father had been for three years, but there was no employment in Western Australia. Because of the industrialisation and availability of

jobs in South Australia, after a couple of months my father changed his mind and brought his family to South Australia.

I have been very much aware of the number of people from Italian backgrounds who worked on Sir Thomas Playford's orchard. They all speak very highly of the man and his family. They speak very highly of someone who gave them the opportunity to work and who accepted them, as members can see from the letter, as one of their own. That tells us very much about his contribution not only in an economic and industrial sense but also in accepting Australians from diverse backgrounds who made South Australia their home.

Sir Thomas Playford was not dominated by an economic theory. His main aim was to get the best deal for South Australia, to build the infrastructure to provide jobs and opportunities for all South Australians. He was not concerned about being regarded as left wing or right wing and would have said, 'If you depend on either wing, sooner or later you will get off course.' I believe that Sir Thomas would have thought, 'Man must not be dominated by a system: the system must serve man and not man the system.' Unfortunately, there are times when politicians get dominated by a particular economic theory at the expense of political goals. I am sure that Sir Thomas had well set in his mind that political goals are paramount and must be sought at all costs, but his political goals were not for the sake of taking power but were to empower the community and to provide opportunities and jobs.

It has been said that Sir Thomas would have been regarded more as a Labor Premier, but I am sure that he would have said, 'It does not matter how you regard me. As long as I get the best deal for this State, that is the most important thing to achieve.' I am sure that that is what Sir Thomas did because he wanted to establish a State we could all be proud of, a State which had opportunities for its people at the time and opportunities for their children in the future. That is what we are celebrating today and it gives me great pleasure to support the motion.

Mr BUCKBY (Light): I also support the motion. Where do you start to talk about a man whose portrait we now look at in the Chamber? Where do we start with a person who has given so much to this State and who changed the direction of South Australia from a basic agrarian economy to one that moved into a highly industrialised economy where agriculture was no longer the sole source of income for the State. While I never met Sir Thomas, from what I have read, he did have an enormous capacity for work. In Stewart Cockburn's book *The Benevolent Despot* he said it was not unusual for Sir Thomas to start work at 5.30 in the morning and for the light to be burning until 1.30 or 2 o'clock the next morning. It is also recorded in many places that the Premier's Department in days gone by under Sir Thomas had a staff of less than a dozen people.

If you consider the number of transactions and deals that were done by Sir Thomas with such a small staff to bring industry and manufacturing to this State, it shows the enormous capacity the man must have had to be able to keep all these things in his head and to deal with the people he had to deal with. I believe that his term in politics and his life in general show that the man had great foresight in realising that South Australia had to change direction, that it had to increase its manufacturing base and, if it did not, it really would remain only a very small player within the Australian economy. He did that with a great deal of ability and, as other people have said, which I will not repeat, that included attracting General Motors to this State and the establishment of the Housing Trust and ETSA Corporation, all under one man—Sir Thomas Playford.

One can think of the term, let alone anything else: he was Premier of the State for 26 years. Most Premiers these days make it to about eight or nine years, but 26 years is an incredible term. It is still a Commonwealth record, and I do not think that will ever be surpassed by anyone. In any event, it will stand for a long time. To be able to direct the State and to have an input over that long period again shows the qualities of the man and the capacity he had for work and for dealing with people. There is no doubt that he was the right man for the job at the time that he took over. Coming out of a depression in South Australia, through the Second World War and then in the boom in the economy following the war, Sir Thomas Playford certainly made the most of all those opportunities and grabbed them for South Australia.

It was very interesting to hear a radio program that was conducted last week on Radio 891, when people were asked to ring up and give their thoughts and comments on Sir Thomas's life. One man, whose name I do not recall, obviously was a farmer friend of Sir Thomas who often visited Sir Thomas's home to have a bit of a yarn. It is thought that Sir Thomas was a wowser, that he did not agree with people having drink and that he would not have it in his home. This gentleman said that he was one who always had a beer and Sir Thomas did not drink, but that when he went to visit Sir Thomas there was always a beer in the fridge.

He said, 'Never did I go there at any time when there was not a beer in the fridge, and I would be offered a beer by Sir Thomas. People think that he would neither condone nor tolerate it, yet he saw that his friends had different ideas from him and he tolerated those ideas.' Again it shows the capacity of the person. Another speaker was his daughter, whom Murray Nicoll happened to be talking to, who showed that Sir Thomas was not a man to collect worldly goods. She said that often on his birthday she or her brothers would give Sir Thomas a gift and he would thank them for it and place it on top of the mantelpiece.

She said that it might sit there for two or three days unopened, but the thing that he recognised and appreciated was the fact that people had recognised his birthday. It was not what they gave him that he was interested in; it was the fact that they remembered his birthday. Again, that shows the qualities of the man who led this State for 26 years. It is well known that Sir Thomas Playford often drove Don Dunstan home on their way back from Parliament after the end of a sitting. I wonder whether that would happen today—that the Premier would drive the Leader of the Opposition home or that they would be able to talk to and get on with each other in such a way. That probably says much for both people.

In Sir Thomas's dealings with Canberra, especially when he was involved in some heavy economic issues, he has been quoted as saying that he did not know a great deal about economics and the theories behind those sorts of things. He knew far more than he let on—and I am sure everybody knew that—and, in fact, he knew more than he might be given credit for. He obviously learned his trade on a farm and in the East End market, where many deals were done selling fruit. He was a very shrewd operator. He knew much about the way markets worked and learned it right on the ground floor level and carried those principles through to the top of Government and into his dealings with the Federal Government. The knowledge he had served him well in those sorts of dealings

and gained a lot of additional moneys for this State over and above perhaps what other people may have been able to attract to South Australia.

I conclude by saying that I believe South Australia was particularly fortunate in having Sir Thomas Playford as its leader for 26 years. I am sure that industries that were brought here by him and by his initiative probably would not have been able to be attracted here by other people. They came here purely because of the ability of Sir Thomas and the ability he had to attract industry.

Much has been said about the debt South Australia had in the 1960s and the debt that we have now. Of course, the two are entirely different. The debt that was accumulated during the 1950s and 1960s occurred as a result of establishing industry and manufacturing on the ground here, and it brought jobs to South Australia. However, the debt we have now is that which was created basically by property dealing, inflated property values and poor management. The debt created by Playford and the debt created by the late 1980s and early 1990s are just not in the same ball park at all. We were fortunate to have an extremely responsible man lead this State with much foresight, because it delivered many benefits to South Australia. All the people of this State owe Sir Thomas Playford a great debt.

Mr BRINDAL (Unley): I wish to support both the motion and the member for Ridley's amendment. In so doing, I also want to say a few words in tribute to Sir Thomas and to illustrate the respect in which he is held, by briefly mentioning the centenary oration which was given in the town hall last Friday. It should be placed on the public record that the Prime Minister of Australia (Hon. John Howard) thought enough of Sir Thomas and his achievements to deliver that address, and that the Premier of South Australia thought enough of Sir Thomas to host that oration. Few political leaders, so many years after they have died, would still merit that level of respect by practising politicians in Parliaments across Australia.

That evening was an unqualified success. I note that the Leader of the Opposition was represented by the member for Spence—and I have to be careful what I say, because the member for Spence always quotes me in his newsletters. So I will get it right. The member for Spence is generally honourable, but I have also found him to be brave. Anybody who can attend an oration and reception at which Liberals would generally predominate (given that Sir Thomas was a Liberal Premier), sporting a big ALP badge, is a particularly brave person. But the member for Spence and the Opposition are to be commended on being represented, as the Democrats were represented by Senator Natasha Stott Despoja. It is worth placing on the public record that it was a community celebration and that it was good to see the Opposition taking part.

It is particularly worth taking up the Prime Minister's theme that icons and people who have contributed significantly to the political history of Australia should be honoured by both sides. The Prime Minister mentioned Chifley and Curtin as significant Australian Prime Ministers, and they certainly were not Liberal Prime Ministers. As the Prime Minister said, while in partisan politics we would expect the Opposition to cheer more for a Dunstan than a Playford, nevertheless we should all be intellectually honest enough to acknowledge those significant people who have contributed to this State, no matter what their politics.

I do not intend to detain the House long, except to answer a few criticisms that seem to have arisen in the course of these celebrations. The criticisms centre largely on the fact that some of what Sir Thomas did is not what we would choose to do now. In one sense that is a fair criticism but, in another sense, as the member for Spence says, 'So what?' We have to judge Sir Thomas according to his time and according to what was needed. Anybody's vision is that from their time into the future; hindsight is always 100 per cent. If we judge Sir Thomas on the consequences of some of his actions, we might say, 'This is not as we would choose.' The question is whether that is a criticism of his vision for the future or of those who came after not being able to take his vision to the next step. I would argue that some of the negatives that might now have accrued have done so because people after him did not take his vision to the next step.

I would also argue that, if Sir Thomas was a truly visionary political leader and he were here in these times, he might have a different vision. He was of his time and had a vision for his time. The member for Spence would know the Book of Ecclesiastes, which states that for everything there is a season. A good leader is always of his time and must be judged according to his time.

Mr Cummins interjecting:

Mr BRINDAL: My friend the member for Norwood says that Alexander the Great could hardly be judged by modern times or circumstances.

Mr Cummins interjecting:

Mr BRINDAL: The member for Norwood says that he would match up well if he were. I am not sure about that, but the member for Norwood might know more about Alexander than I do—actually, he would probably be a very good constituent of Norwood or Unley, from what I know about him.

In conclusion, I want to cite two anecdotes in Stewart Cockburn's book which I think explain something of the nature of the man. One concerns Sir Thomas's bid on mining. He had the Prime Minister over here, who was not known for his physical robustness; he liked intellectual rather than physical pursuits. Sir Thomas personally drove him around South Australia for two days without stopping, up to Mount Painter and over to Radium Hill. The book suggests that, perhaps deliberately, they got lost, ran into fences and ran down cattle. Sir Thomas made it the most terrifying two days of Sir Robert Menzies's life until, worn out and exasperated, Menzies agreed that Sir Thomas could go to America and negotiate a deal—and he did. He negotiated a deal for the opening of a significant mine at Radium Hill.

It was not terribly advantageous to the State; it was on a cost-plus basis. People may say that it was not particularly good, but this was where Sir Thomas had vision, because he also negotiated that when the mine closed all the expertise and a whole lot of specialist equipment would pass from the American mining company to the South Australian Department of Mines. It was from that point that the Department of Mines, which has always been a good department, became pre-eminent in the last three decades. Every member will know that we have the best Mines Department in the country. It carries out leading work of world standard, and part of that was because Sir Thomas Playford gave it an edge. Older people around Leigh Creek, where I was privileged to work, would talk about Sir Thomas being in the House till Thursday, getting in his car, driving to Leigh Creek, and spending the weekend poking around with geologists looking

at the size of the deposits. In many ways, he was an eminently practical and sensible person.

I do not wish to detain the House any longer. I commend the Leader of the Opposition for moving the motion, but I also commend the member for Ridley, because his amendment makes it a better motion. I thank all members for the way that they have honoured the celebration of the centenary of a great South Australian Premier.

Mr VENNING (Custance): I support the amendment to the motion so capably moved by the member for Ridley. The words in the amendment, 'determination to establish and operate in the public interest,' are a true reflection of what Tom Playford did for South Australia. As I said during the tributes to Sir Thomas on the actual celebration of his birthday, he took over the Adelaide Electric Supply Company to ensure that all South Australians enjoyed the basic essential of electricity. It was not a commitment to public ownership: he saw it as an essential service that all South Australians should enjoy. Therefore, the amendment moved by the member for Ridley is correct and puts the record straight.

I commend the member for Unley and the people of Norton Summit for the way in which we were able to celebrate the centenary of Sir Thomas Playford's birth, particularly the oration in the Adelaide Town Hall. It was a magnificent occasion. I congratulate the member for Unley on his efforts with which the committee helped him, and I was pleased to be involved in its success. I also agree with the comments made by the member for Unley about the member for Spence. I saw him there and pay tribute to him for his presence, because Tom Playford was a Premier for all the people. He was not a man of strong politics: he had many friends on the other side of the House. Seeing the member for Spence at the gathering sporting his ALP badge larger than life did not offend me. However, I was pleased to see him there. The function was a great success.

I congratulate the member for Unley on having the foresight and courage to arrange it. These things take a lot of organising, and the risk, if they do not come off properly when you are engaged in remembering such an important man, is that it can reflect badly on you, but, to the honourable member's credit, it came off very well. Also, the reception afterwards was very successful. I think there were more of my constituents at the reception than any other member of Parliament. The bus that we arranged to come from the Barossa Valley to the reception was full, and those who attended had a great night at the oration and then at the reception. Many of these people personally knew Tom Playford, and I was very pleased to see them attend.

On the Sunday, the Norton Summit celebration was very good. The weather was kind to us and a very good gathering was present. I very much appreciated seeing all the Premiers sitting together for the first time. It was the first time I have ever seen all the Premiers together, and it is probably the last time anyone will ever see them like that again. As the Premier reminded us, the total number of years that the Premiers at the reception served does not even equal the 27 years that Tom Playford served as Premier of this State.

Finally, I refer to the Playford family. We all know what sort of commitment it is to be a member of Parliament. We all know what happens to our family life, and we must realise that the Playford family had their father and their husband in politics for over 30 years. I spoke to the members of the family afterwards. I also know very well the family of the late Sir Lyell McEwin. I know the sacrifices that they have made. I put on the public record this Parliament's thanks and gratitude to the family of Sir Thomas, because they did not see a lot of him. They could not have done so, because he was such an active man, particularly when he was Premier of this State. I want to let the family know that we have not forgotten the sacrifices that they made as Tom's family. Tom has left his mark on the State. I hope the family acknowledges that we realise and appreciate it. I have much pleasure in supporting the member for Ridley's amendment to this motion.

Amendment carried; motion as amended carried.

GREEK CYPRIOTS

Adjourned debate on motion of Hon. M.D. Rann:

That this House requests the Federal Government to actively support the United Nations Committee for Missing People in their work in Cyprus and for Australia to raise in the General Assembly of the United Nations the need for Turkey and the Desktash regime to assist the UN with both the location of the bodies of missing Greek Cypriots and in investigating the circumstances of their deaths.

(Continued from 4 July. Page 1860.)

Mr BECKER (Peake): I move the following amendment to the motion:

Delete all words after 'That' and add 'this House commends the John Howard Federal Government for its recent efforts to raise the Cyprus issue internationally, including through the Commonwealth Heads of Government and the Commission on Human Rights, and calls on all parties involved in this issue to cooperate fully with the United Nations, particularly the Turkish and Denktash Regime, to assist both with the location of the bodies of missing 1 619 Greek Cypriots who disappeared during and around the time of events of 1974 and applauds the efforts of the Premier of South Australia, Hon. Dean Brown MP, in arranging a visit to Cyprus during the parliamentary recess to meet with His Excellency Mr Glafcos Clerides, President of the Republic of Cyprus'.

The issue of the missing persons in Cyprus on or around 20 July 1974, some 22 years ago, is of concern to many in this country—not just those of the Greek Cypriot community. Twelve months ago I moved a motion in this House expressing our concern at the lack of action. I was pleased that it was supported by the Leader of the Opposition, the Deputy Leader of the Opposition and by my colleagues the member for Norwood and the member for Colton. In another place yesterday, the Hon. Julian Stefani MLC said:

As many of my friends within the South Australian and broader Greek Cypriot community in Australia are aware, I attended the world-wide Cypriot International Conference in Nicosia in August last year. I was the only Australian member of Parliament present at this important conference, and I had the honour of meeting with [various distinguished personalities]. I was also honoured to meet with the President of Cyprus, Mr Clerides, at his presidential palace, where he received the overseas delegates, including the Australian delegation and the representative from South Australia, Mr Con Marinos.

At the world conference, I was privileged to deliver a message from the Premier of South Australia, the Hon. Dean Brown, in support of our many friends within the Greek Cypriot community.

That brief extract from the Hon. Mr Stefani's speech shows the concern that the Dean Brown Government has for this problem. The Foreign Minister (Hon. Alexander Downer) has maintained that the Commonwealth group of nations can and should play a more active role in resolving the Cyprus conflict. He believes that, including through the Commonwealth Action Group. I commend the Federal Government in its efforts to foster an environment more conducive to a

lasting settlement on this most distressing and protracted dispute.

It is interesting to note a text of the paragraph on Cyprus of the final communique of the Commonwealth Heads of Government meeting in Auckland, November 1995. The communique reads:

> Recalling their Cyprus communique, Heads of Government once again expressed support for the independence, sovereignty, territorial integrity and unity of the republic of Cyprus. They urged the Security Council to take resolute action and the necessary measures for the speedy implementation of all United Nations resolutions on Cyprus, in particular Security Council resolutions 365 of 1974, 550 of 1984 and 939 of 1994. They expressed full support for the proposal by the President of Cyprus for the demilitarisation of Cyprus.
>
> They called for the speedy withdrawal of all Turkish forces and settlers from the Republic of Cyprus, the return of the refugees to their homes in conditions of safety, restoration of and respect for the human rights of all Cypriots, and the accounting of all missing persons, and express grave concern at the continuing influx of settlers. Expressing deep disappointment at the continued lack of progress in achieving a solution, due to the lack of political will on the Turkish Cypriot side, they reaffirmed support for the United Nations Secretary-General's efforts to find a just and workable solution. In this context they agreed that the Commonwealth Action Group on Cyprus should continue to monitor developments and facilitate the United Nations Secretary-General's efforts as appropriate.

The Federal member for Kooyong, Mr Petro Georgio, addressed the Hellenic Council on Sunday 22 June 1996 on behalf of the Hon. Alexander Downer, Minister of Foreign Affairs. During his speech Mr Georgio referred to a number of United Nations Security Council resolutions on Cyprus, including United Nations Security Council resolution 541 of 1983 which calls on all States to respect the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus. He also noted that the prospect of Cyprus's joining the European Union should be a major incentive for both communities in Cyprus to find an overall political solution.

It is also encouraging to see the Americans and the British playing a greater role in the Cyprus question, with Britain recently appointing its first ever special representative to Cyprus, Sir David Hannay. This House must stand with the United Nations Security Council resolution 1062 of 27 June 1996 in deploring the tragic incident involving the fatal shooting of a Greek Cypriot national guardsman inside the United Nations buffer zone on 3 June this year. I am amazed and disappointed by what is occurring in Cyprus.

The Security Council has reiterated resolution 1062 of 1996 that the status quo is unacceptable and has requested the Secretary-General to submit a report by 10 December 1996 on the implementation of the latest United Nations Security Council resolution 1062 of 27 June.

As members on both sides would be aware, this month marks the twenty-second anniversary of the Turkish occupation of the so-called Turkish Republic of Northern Cyprus. The Australian Government recognises the Republic of Cyprus as the only legitimate authority on the island. It does not recognise the so-called Turkish Republic of Northern Cyprus. I make that very clear because the Deputy Leader of the Opposition made reference to that in his speech last Thursday, and it was more of an insult to my Greek Cypriot constituency than the member realised. But, after so many years of pain and suffering on the island of Cyprus, the time has come to begin the healing process and part of the healing process relates to determining the fate of the 1 619 Greek Cypriots who disappeared during and around the time of the events of 1974. This House must urge all parties involved in this question to cooperate fully with the United Nations, and therefore I commend the amendment to the House.

Amendment carried; motion as amended carried.

PRIVILEGES COMMITTEE

Adjourned debate on motion of Mr Atkinson:

> That this House appoint a Committee of Privileges to investigate the distribution and source of an anonymous letter about the member for Coles in the precincts of the Parliament; the delegation of the investigation by the Speaker to the member for Florey and the propriety of granting access to the member for Florey to computer records of members' comings and goings from the House with a view to finding the distributor of the anonymous letter and another letter signed by the member for Davenport; and the propriety of documents being fingerprinted in an attempt to identify the distributor of the anonymous letter concerning the member for Coles.

(Continued from 4 July. Page 1863.)

Mr CUMMINS (Norwood): I oppose the motion of the member for Spence. This motion concerns appointing a Committee of Privileges. It is patently obvious the member for Spence does not know what privilege is. It is a great tragedy that the time of this House should be wasted with the pettiness and humbuggery of the member for Spence and his Party. The terms of this motion indicate the pathetic level to which the Opposition has gone in this House. It is unfortunate for the people of South Australia and for democracy. The first question about this issue was raised after the budget. I was looking through the proceedings of the first Question Time after the budget and five questions were asked in relation to this letter—two by the Leader of the Opposition, two by the Deputy Leader—and only one in relation to the budget. It just shows the concern of the Opposition in relation to the real issues in this State.

I now address the issue of the motion. The first question is: does it raise a question of privilege? It certainly does not raise a question of privilege. Erskine May says that the concept of privilege relates to two points: first, where an individual without the right could not discharge their duties and functions as a member; and, secondly, the right which exceeds those possessed by other bodies or individuals. It is clear, it seems to me, that this does not therefore raise a question of privilege. The House of Commons in England dealt with a case of a casual conversation in relation to the issue of privilege and whether that casual conversation out of the precincts of the House would protect someone in relation to defamation in relation to the claim of privilege. It was held in that case, 'No.' The member for Spence should know that the concept of privilege arose in the historical dispute between the queen and the king in Parliament and relates to concepts of freedom of speech, freedom of arrest and freedom of access to Her Majesty. Therefore, clearly this motion does not raise an issue of privilege.

There is no merit in the substance of the motion, either. Amongst other things, the motion alleged the documents were fingerprinted. In *Hansard* on 4 July 1996 the member for Spence at page 1862 said:

> . . . I am moving that the committee investigate the propriety of documents being fingerprinted. . .

The honourable member said that was the basis of his motion. We know very well from what the Deputy Leader of the Opposition said in the House on 6 June that the letter from the Commissioner indicated there was no fingerprinting done. We also know that on 5 June 1996 the Speaker said that there was no authorisation given for anyone to engage in finger-

printing and on 4 June 1996 the Deputy Premier said that there was no request for fingerprinting. There is no substance in the motion because there is no basis in fact for the motion. First, it does not raise a question of privilege; and, secondly, there is no basis in the motion in any event. The motion is based on a false premise that there was fingerprinting when there was not. The motion tends to cast aspersions not only on the Speaker of the House but on the Commissioner of Police and the Deputy Leader of this House. It is a very improper motion.

The member for Spence also alleges that access was given to computer records. The Speaker said on 4 June 1996 that no such list was taken and that the information was not misused. It appears that the member for Spence, in putting the motion before this House, is not accepting the word of the Speaker. He cannot do that and that, too, makes it an improper motion.

In any event there are no guidelines in relation to the use of the boxes in this House or in relation to any computer records at all. One may ask why that is. The reason is that the Labor Party in its wisdom put in the system and did not bother to put in anything to govern its use. Clearly the problem arises from the political supporters of the member for Spence. The member for Spence misled the House. Either he misreads legislation, does not understand it or he misled the House.

Mr ATKINSON: On a point of order, Sir, the member for Norwood alleges that I misled the House. That allegation must be made by substantive motion. I ask him to either make that allegation by substantive motion or to withdraw.

The SPEAKER: The member for Norwood cannot imply that a member has deliberately misled the House. I ask that he withdraw.

Mr CUMMINS: I withdraw it. Perhaps the member for Spence, who I understand has a law degree, misunderstood the meaning of section 28 of the Parliament (Joint Services) Act 1985 when he said that the law of the State gives authority over the precincts of Parliament House outside the Assembly Chamber, not to the Speaker but the Joint Parliamentary Services Committee. If one reads section 28 one will understand why I made the comment earlier. It provides:

> The Committee shall have the control and management of the dining, refreshment and recreation rooms, lounges and garages of Parliament House.

It is patently obvious that when he did his law degree he did not understand statutory interpretation, in particular, the rule of statutory interpretation called *noscitur a sociis*. He patently did not understand it. He seems to be saying that the dining room is where the computer records are kept in the House or, alternatively, where the mailboxes are in the House. When he said that about section 28, he was obviously sorely mistaken, to say the least. One must ask the question of the propriety of all this motion.

Mr Atkinson interjecting:

Mr CUMMINS: It is not satisfactory. I deal with the comments of the Deputy Leader of the Opposition on 4 June 1996. He read into *Hansard* a defamatory letter, which was disgraceful behaviour on the part of the Deputy Leader of the Opposition.

Mr Atkinson interjecting:

The SPEAKER: Order!

Mr CUMMINS: He is prone to attacking females in this House. I had cause to do something about his attack on Trish Worth on 3 July 1996 when he called her 'cowardly and disloyal'. I am sick and tired of members opposite attacking female members of this House and female members of the Federal Parliament. In particular I refer to the Deputy Leader of the Opposition attacking Trish Worth, the member for Adelaide. It is, to say the least, cowardly behaviour and it amazes me that members opposite continue to do it, particularly when such people are not here.

Mr ATKINSON: On a point of order, the member for Ross Smith is not in the House today. The member for Norwood accused the member for Ross Smith of being cowardly and attacking women. I ask your ruling on whether those allegations are parliamentary. I take umbrage on behalf of the Deputy Leader of the Opposition.

The SPEAKER: The Chair does not uphold the point of order.

Mr CUMMINS: On Wednesday 3 July 1996 the Deputy Leader of the Opposition called the member for Adelaide 'cowardly and disloyal'. They are his words—I am quoting. Who is cowardly? It is obviously the Deputy Leader of the Opposition when he attacks a female Federal member of Parliament, who is not in this place. In my speech I dealt with the misleading information he gave to the House on that occasion. In fact, it seems to me that the investigation of this case should be in relation to the chauvinist piggish behaviour of the Deputy Leader of the Opposition, not this motion before the House and I oppose it.

The SPEAKER: I have put the question to the House. The honourable member is very slow. I will give him the chance to respond but he was far too slow. The member for Spence.

Mr ATKINSON: Sir, it is very kind of you to give me the call.

Members interjecting:

The SPEAKER: Order! The member for Spence has the call; if he speaks he will close the debate.

Mr ATKINSON: The member for Norwood did not address the issues of substance in the motion before the House. The issue of substance is the circulation of an allegedly defamatory anonymous letter attacking a member of the House; the issue of substance is the threat by the member for Florey to fingerprint those letters that were placed in the boxes; the issue of substance is whether you, Sir, should have granted the member for Florey permission to have access to confidential security records of members' comings and goings from the Parliament and, also, the propriety of the member for Florey's investigation of the letter placed in the boxes of members by the member for Davenport—signed by the member for Davenport—about the method of electing the Leader of the Parliamentary Liberal Party. These are the issues of substance.

It is not to the point for the member for Norwood to criticise the Deputy Leader of the Opposition for his criticism of the Federal member for Adelaide. I do not see the relevance of that to this debate. I know that this issue is very sensitive within the Parliamentary Liberal Party. I know that many members of the Parliamentary Liberal Party, if they had a conscience vote on this issue, would very much like to support a Privileges Committee investigation of the matters that I propose the committee investigate.

Those Liberal Party members of Parliament want to get to the bottom of this issue; they want to know the truth of who authorised whom to do what; they want to know how this issue unfolded and, in particular, they want to know how the Premier's (small l) liberal faction used the authority of officers of the House to investigate members of the dry or

conservative faction of the Liberal Party. Members of that latter faction are very concerned about what they see as the improper use of authority within the House to investigate them, and they are lobbying for their point of view. In particular, they are very concerned that the permission, ostensibly granted by the Speaker to investigate the so-called defamatory anonymous letter about the member for Coles, was, in fact, used not to investigate the anonymous letter but to investigate at what time the member for Davenport's letter about changing the method of electing the Parliamentary Liberal Party Leader was put in the boxes and, also, to investigate which member of the Parliamentary Liberal Party came to the House that night, took his letter from the member for Davenport out of the box and leaked it to the *Sunday Mail* for publication the following Sunday.

Mr Condous interjecting:

Mr ATKINSON: I can tell the member for Colton that I did not receive a copy of the member for Davenport's letter but I would have been proud to be the author of the so-called anonymous letter, because that letter was not defamatory in any real legal sense. It continues to be referred to in this House as a defamatory letter when it is not defamatory in a legal sense. It was open to any member of the Parliament to put his or her name on a letter pointing out that the member for Coles had not received an apology for all the defamatory imputations she claimed the *Sunday Mail* made against her in the story headed 'Backstabber'.

The nub of this issue is the member for Davenport's letter and what I regard as the quite improper investigation into his expressing his legitimate opinion about how the Leader of the Parliamentary Liberal Party ought to be elected. I know that very many Liberal members want that matter investigated, want the truth to come out, and want there to be objective rules applying to access to security records in this House—objective rules that everyone can read and apply to members equally, whether they be members of the Premier's faction on the one hand or members of the Infrastructure Minister's faction on the other.

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

The House divided on the motion:

AYES (9)

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

NOES (32)

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

PAIRS

Clarke, R. D.	Baker, D. S.
De Laine, M. R.	Kotz, D. C.

Majority of 23 for the Noes.

Motion thus negatived.

FORESTS

Adjourned debate on motion of Hon. H. Allison:

That this House is of the opinion that, with the objective of protecting the long-term socioeconomic interests of South Australia with respect to forest production and timber processing, the Government must retain control over the annual rate of cutting timber and of the age and location of timber when felled and must not sell broadacres of forestry holdings in the South-East, which Mr Clarke had moved to amend by leaving out all the words after 'retain' and inserting in lieu thereof:

'ownership, management and control of South Australia's State owned forests'.

(Continued from 15 February. Page 1079.)

The Hon. H. ALLISON (Gordon): At the time I moved this motion, a somewhat mischievous rumour was being sounded abroad that the harvesting rights to the South-East forests were about to be sold, despite reassurances which had been given by the Premier and the Minister for Primary Industries that this simply was not so. They stated both in the House and publicly that that simply was not so, but the rumours persisted. By way of further reassurance, I therefore gave notice of this motion. Almost immediately, it was rendered superfluous because, within a few minutes of my giving notice in the House, the Premier himself by way of a ministerial statement advised the House that the harvesting rights to the Government owned forests in the South-East and the State would not be sold.

More recently, last Friday in fact, Forwood Products' milling operations were sold for $130 million to a New Zealand and United States interest, Carter Holt Harvey, and the sale included an allocation of timber for 15 years with a further right of renewal, an extension of those rights. However, control of the forests still rests with the Department of Primary Industries in South Australia and that is a significant feature since the Forwood Products timber contract is by far the largest let by the department's forestry division. Incidentally, Carter Holt Harvey's senior executive at the sale last Friday stated by way of answer to a press question that his company would have preferred to have had harvesting rights but, nevertheless, he expressed full satisfaction with its timber allocation.

Members will appreciate that one cannot sell a huge timber milling operation such as Forwood Products in the South-East unless there is a satisfactory guarantee of timber, allowing the company to amortise the debt, the cost of purchase over a period of years. It is a perfectly normal aspect of sale to allocate a suitable timber right. I do not accept the amendment moved by the Deputy Leader of the Opposition, the member for Ross Smith. I appreciate that his motion is well intended but it deflects but little from my own motion, which I commend to the House. In doing so, I point out how the Opposition has varied its attack on the Government for its intended Forwood Products and South-East timber sales. Members will realise that it was the former ALP Government which prepared Forwood Products for sale by corporatising the operation. That corporatisation was inherited by the subsequent Liberal Minister for Primary

Industries, Hon. Dale Baker, and the current Minister, Hon. Rob Kerin.

Upon losing office, the ALP then promoted the further mischief that forest harvesting rights were about to be sold off and that, as I have said, was patently untrue. It has now been proven to be untrue. However, the Labor Party then claimed that Forwood Products should have been sold a year ago and now, a few days later, it is advising that we should have waited another year before completing the sale. With such prevarication, inconsistency and uncertainty of mind within the Labor Party, it is not surprising that the ALP in Government had problems in handling and managing the State's finances. Members would be aware from perusal of the Department of Woods and Forests' annual report that it lost money heavily from 1983 to 1993, in that decade following the bushfire, despite the Federal Government's making a substantial loan of $11 million available to help tide the department over its problems and despite the fact that some of the finest timber to be milled in the South-East came out of the Mount Burr and Kalangadoo area following the bushfire.

Amendment negatived; motion carried.

GAMING MACHINES

Adjourned debate on motion of Ms Stevens:

That this House calls on the Government to allocate sufficient funds from the taxation windfall that it has received from poker machines to fund fully the increase in demand for social welfare services and emergency relief that has occurred since their introduction.

(Continued from 8 February. Page 951.)

Mr BROKENSHIRE (Mawson): I wish to move an amendment to this motion. I move:

Delete all words after 'That' and insert 'this House congratulates the Government for allocating funds from the taxation of poker machines to meet demands in key areas including charity assistance, welfare, health, education, sport and community development'.

It gives me great pleasure to move this amendment and, in doing so, I would like, first, to place on record what I see as an achievement that has not been acknowledged as such by Premier Brown in being able to negotiate a situation whereby a significant increase in taxation came from an area of industry, yet without any recognition from the other side of the House and with very little public recognition. I place on record that there is no such thing as a taxation windfall by the Brown Government when it comes to poker machines. Whilst I admit that there has been a significant increase in State Government revenue from poker machines, the fact is that other areas of gaming taxes for the State have been significantly diminished.

I highlight areas such as the Casino, harness racing, the traditional horse racing codes etc. Contrary to what some people are doing, running around the countryside saying that the Brown Government has suddenly inherited an enormous amount of additional money, it is simply not accurate. With that comes the situation whereby many people have fallen victim to poker machines. Whilst most people enjoy the use of poker machines for recreational purposes and can go with their spouse and spend a couple of dollars, have a meal and then leave, unfortunately there is a percentage of people who tend to get addicted to poker machines. Of course, we all know the cost to the community as a whole as a result of this behaviour.

As parliamentary secretary to Minister Wotton with respect to Family and Community Services I, for one, am only too aware of the concerns and difficulties of many families as a result of what I describe as an addiction to poker machines. However, it is great to see that the Government once again has shown its social face, its sporting face and its absolute commitment to health and education. I note with interest that the member for Elizabeth often asks, 'Why doesn't the Government put more and more money into social welfare services and emergency relief?'

I would like to remind the member for Elizabeth that many of the reasons why there are such demands on emergency services and on social welfare services are the result of the 10 years of debacle we had under her Government. She never recognises that, but it is a clear fact: $7 billion or $8 billion later, in just an 11 year period, the State now faces many problems as a result of the former Government's ineptitude. However, our Government is absolutely committed to making sure that we turn around those unfortunate circumstances for those individuals who have been hardest hit and, indeed, return this State to prosperity on a sustainable level. Therefore, the Government must have a commitment to a multi-pronged attack on the issues.

The Opposition seems to think that the only way to fix anything is to pour more money into the social welfare area. I agree that there will never be enough money to put into that area. However, as well as putting money into the social welfare area, we must rebuild our economy, create new jobs and get vibrancy, pride, confidence and empathy back into the community and attract new companies to this State, as we have witnessed over the past two years. In fact, I was amazed to hear that in excess of 500 new jobs for South Australians resulted from the Westpac Centre, just to the west of Adelaide, even though it was established only some 18 months ago. I understand that that figure could increase to at least 750 by the middle of next year.

EDS and Motorola—two new companies for South Australia—have already created 550 brand new jobs, and at least another 500 jobs will be created in that area. So the Government is not only looking after the social welfare area, which we have always had a commitment to. If we look at the Liberal Party's philosophies and policies, and the direction of liberalism in Australia, as it was under Sir Robert Menzies, it has not changed at all. By encouraging the strong and by creating a vibrant economy for the strong, the Government is then in a position to support people who are less fortunate than others. That is the fundamental philosophy of the Liberal Party. It is absolutely opposite to that of the socialist Labor Party, particularly the extreme left socialist factions we see in this Chamber. Its philosophy is to tear away from the encouragement and opportunities of the strong, to stop the creation of wealth and to pull everybody back to the lowest common denominator.

Mr Speaker, do you know who suffers the most as a result of those sorts of ideologies from the Labor Party? Of course you do, because you have been around this Parliament for a long time and you are intelligent. When I first came into this Chamber, Mr Speaker, you told me that, if we are to support those people with special needs, we must encourage the strong. That is the fundamental philosophy. It is not a matter of this Government's not being interested in social welfare. This Government and the Minister (Hon. David Wotton) are absolutely committed to family and community services.

I ask members to consider some of the new initiatives put forward by the Minister, such as the positive parenting

program. Those sorts of programs are absolutely fundamental to rebuilding the social fabric of this State. We are now seeing positive parenting programs implemented on the factory floor for the mums and dads who both have to work and who do not have an opportunity to work through family issues because they are so busy. The Government is getting out and onto the shop floor and working with those people.

We are 18 months ahead of our debt reduction strategy in the areas of health and education. The sum of $90 million of additional money has gone into health just this year, and some of that clearly has resulted from gaming revenue. That will create 3 000 additional public operations on top of 20 000 additional public operations that our Government, with the good support of the medical fraternity, the nurses and the hospitals, allowed to happen last year. There will be 23 000 extra public operations this year under a Liberal Government, and that is where the money and the priorities are going. An additional $60 million has been included in the budget for education, and $15 million of that—and some of that results from poker machine tax and gaming revenue—will go into the IT area, which is vital for our young people if they want to succeed in the twenty-first century and capitalise on the opportunities we as a Government are creating with the new information technology developments in South Australia.

We have shown a clear commitment to sport. Minister Ingerson has restructured the sport, recreation and racing fraternities. Whilst we understand that those areas are still difficult, our Government is committed to sport and recreation, because we know that a healthy mind and a healthy body go together for a healthy environment for South Australia and South Australians.

As far as community development goes, we have only to look at some of the projects that are on the go at the moment, such as the new netball facility at Mile End, the initiatives to try to get the Commonwealth Games here, the upgrading of some of the sporting facilities for soccer, and so on, to see that the Government is being very responsible when it comes to this additional taxation of poker machines. With respect to charity assistance, I commend both the Government agency, Family and Community Services, and in particular the non-government agencies which I know are under a loss of stress. As a Government we are working as hard as we can to alleviate and eliminate that stress and allow those agencies to become far more pro-active, just as we are looking to being far more pro-active as a Government.

The Government wants to work alongside those charities; I congratulate them on the great work they are doing. I know there is still not enough money in those areas but, frankly, the reality is that it will probably be a long time before there is enough. At least this Government is committed to making sure that wherever the dollars are available they will be put into those special needs areas. In addition, as we get the economy in order and achieve the first surplus budget in 1997-98—and by the year 2000 we will be servicing only 16 per cent of State debt in proportion to the gross State product, compared with 28.2 per cent in 1992 under Labor and already back to 20.3 per cent in 1997—we will be able further to improve the opportunities for South Australians.

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

Amendment carried; motion as amended carried.

[Sitting suspended from 12.53 p.m. to 2 p.m.]

SHOOTING BAN

A petition signed by 5 000 residents of South Australia, requesting that the House urge the Government to ban the recreational shooting of ducks and quails was presented by Mr Cummins.

Petition received.

QUESTION

The SPEAKER: I direct that the following written answer to a question without notice be distributed and printed in *Hansard*.

PARKS HIGH SCHOOL

In reply to **Mr De LAINE (Price)** 3 April.

The Hon. R.B. SUCH: My colleague, the Minister for Education and Children's Services, has provided the following response:

A management group has been formed to manage all aspects of The Parks High School closure, including the negotiations of pathways to other educational centres for all current students.

A working party responsible to the management group is examining the specific needs of the disabled students who currently attend The Parks High School. Staff and departmental officers are preparing an educational brief which addresses curriculum, facilities, and resourcing needs of these students.

These students may not all attend the same school. Depending on where they live, their educational and health care needs, and available facilities, students may be able to access their neighbourhood school. Negotiations with possible host schools for the disabled students will be undertaken by the District Superintendent of Education.

Advice from the Facilities Management Group, Department for Education and Children's Services (DECS) indicates that it is unlikely that building modifications to accommodate the wheelchair students will cost $1 million.

YOUTH EMPLOYMENT

The Hon. DEAN BROWN (Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: When I announced the creation of the Youth Employment Task Force last year, I did so because this Government has an unswerving commitment to the creation of real jobs for young South Australians. I returned to Parliament because of a determination to make sure young South Australians have a long-term future in this State.

This commitment is the overriding social responsibility of the Government, because young people, above all South Australians, had their confidence in the State shaken by the decade of Labor Governments which mismanaged the State economy and finances and saw too many of our young people look to the Eastern States and overseas for careers and personal security.

Today I have released the report of the task force. The findings of the task force and its portrayal of the problem reaffirm the priority with which this Government views its commitment to real jobs for young South Australians. Importantly, the task force does not simply identify the problem in economic terms: it has important social, industrial and educational dimensions which must also be addressed as part of the solution.

In 2½ years, the Government has reduced the general unemployment rate in South Australia from 11.2 per cent to 8.8 per cent now. However, the youth unemployment rate of 37.1 per cent remains unacceptably high. This means that, of the 100 000 15 to 19-year-olds in South Australia, about

8 000 are looking for full-time work and are unable to find it. It would be wrong to claim that there is a quick fix to the issue of youth unemployment. The task force makes that clear. To do so would simply perpetuate the frustration which the young unemployed have had over the past decade.

Importantly, the report identifies some of the root causes of South Australia's high level of youth unemployment. It highlights the fact that high youth unemployment in South Australia can be traced back to this State having a higher dependence on manufacturing industry which has been employing more mature skilled labour in preference to a younger unskilled work force.

This is an area where the Government has already embarked on a major course of reform. Since coming to Government, we have worked to broaden our industrial base by attracting new industries to this State in export orientated areas of information technology, tourism, and the food and wine sectors. Attracting new companies in these labour intensive areas is the fundamental response required to create real and lasting jobs for young South Australians. The fact that this type of restructuring did not occur in the mid-1980s and early 1990s is a monument to the failure of the previous Labor Government and has produced the magnitude of the youth unemployment problem that the task force has identified.

The task force has also made a series of specific recommendations covering the areas of education, school to work transition, skills development and training, industrial relations, labour costs and industry regulation. In particular, I highlight the recommendations:

- to broaden the focus of our education system onto youth employment issues;
- to provide greater access for work experience programs in schools, particularly for those students most at risk of becoming unemployed;
- that employment conditions for young people be altered to create incentives for employing unskilled and inexperienced persons; and
- that the recommendations be pursued in a cooperative manner by both the private and public sectors following community consultation.

Each of these recommendations will be considered by State Cabinet. I recognise that, whilst there are no easy solutions, I agree with the task force that a cohesive and collaborative approach between the private and public sectors and among the three levels of government is required. The State Government will continue to take the lead in pursuing this matter in accordance with its commitment to the youth of South Australia. I would like to thank all members of the task force for the work they have undertaken and, in particular, the member for Kaurna, who was a key member of the task force.

PAPER TABLED

The following paper was laid on the table:

By the Treasurer (Hon. S.J. Baker)—

South Australian Superannuation Scheme—Actuarial Report as at 30 June 1995.

DOCTORS, MOUNT GAMBIER

The Hon. M.H. ARMITAGE (Minister for Health): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.H. ARMITAGE: Yesterday, in answer to a question from the member for Elizabeth, I referred to three forms from doctors in Mount Gambier indicating that they had accepted option 3 of the professional indemnity arrangements. When signing and returning a form under that option, a doctor indicates that he or she agrees to arrange his or her own insurance through a medical defence organisation of choice and understands that the South Australian Health Commission will provide him or her with a contribution of $1 600 in the first year, and this amount, increased by CPI, in the second and third years if he or she provides obstetric services to public patients (or a contribution as designated for listed specialities).

It was three such forms signed by Mount Gambier doctors to which I referred in my answer yesterday. The Health Commission, as part of the process for putting the indemnity arrangements into place, is clarifying with individuals who have chosen option 3 what their accreditation status with the hospital is and whether they do in fact intend to provide public obstetric services as contemplated under the provisions of option 3.

Late yesterday, I received updated information that a check in relation to the doctors to whom I have referred earlier indicated in fact that they do not now provide and will not be providing public obstetric services. I wish to set that record straight. The central component in this issue is not the number of forms that have been returned but whether obstetric services are being provided in the South-East. The answer to that question is a resounding 'Yes.' The South-East Medical Association itself, in a press release of 28 June 1996, indicated it would continue to provide obstetric services to the best of its ability. In addition, I quote a comment attributed to a doctor in the *Border Watch* of 2 July 1996, as follows:

> . . . the doctors had conceded at the last minute to the State Government's latest medical indemnity insurance offer, which incorporated the senior registrar, but would continue to negotiate a long-term offer.

I am advised that, since 1 July 1996, 11 babies have been delivered in Mount Gambier. Services were provided by general practitioners, a senior registrar, an obstetrician and, as sometimes happens in these cases, an ambulance crew. The Government is keen to address long-term issues. In collaboration and cooperation with the Royal Australian College of Obstetricians and Gynaecologists, it is developing senior obstetric registrar support for the South-East. It is also proposing a higher payment for South-East obstetric services in the fee-for-service agreement which would see obstetric fees increase by approximately one-third. I have asked the Chief Executive Officer of the Health Commission to visit the South-East again to have further discussions with doctors about the reasons for their reticence compared with the general acceptance of the Government's offers by doctors in the remainder of the State.

YOUTH PARLIAMENT

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

Leave granted.

The Hon. R.B. SUCH: I wish to inform members that the second South Australian Youth Parliament will take place on Tuesday 16 and Thursday 18 July. Following on the highly successful inaugural Youth Parliament last year, this event aims to develop an interest in the parliamentary system within

the community, provide a State forum for young people in South Australia, promote community education in law and the formation of legislation, provide for the State Government a document of Bills deemed significant by young people, and raise the image of young people in South Australia. The Youth Parliament provides young people with a unique and supportive forum in which to express their views. Through the formulation and debate of Bills, young people are given the opportunity actively to contribute to the decision-making processes of Parliament.

This year, the 'Government' and 'Opposition' Parties will comprise teams of young people from Findon High School, Youthworx, Adelaide University, Flinders University, the City of Marion, Port Augusta and the southern cluster. They will debate Bills addressing subjects such as education funding, the introduction of condom vending machines into high schools, the reduction of illegal drug use by young people, the lifting of the legal driving age to 18 years, and the issue of stolen goods being sold to pawnbrokers. While the young people debate in teams, their final vote is a conscience vote on all issues.

The focus of the Youth Parliament is to offer to young people hands-on experience of the parliamentary process to learn of its role in shaping the economic and cultural framework of South Australia. The first session of the Youth Parliament will be opened by the Premier at 9 a.m. on Tuesday 16 July, and the 'legislation' enacted during the course of the session will be submitted to me as Minister responsible for Youth Affairs as an expression of those issues which young people involved in the Youth Parliament would like the State Government to consider. The Youth Parliament is organised by the YMCA and financially supported by the South Australian Government through Youth SA.

QUESTION TIME

YOUTH UNEMPLOYMENT

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Why did Government representatives on the Premier's South Australian Youth Unemployment Task Force insist that important recommendations included in drafts of the report of the task force be deleted from the final version of the report? The Opposition has copies of both the final version of the report of the South Australian Youth Unemployment Task Force together with earlier drafts. Deleted from the final version are important new initiatives such as the establishment of a central fund to assist in improving score retention rates, a range of youth employment development initiatives including the creation of youth employment demonstration projects, the establishment of a Government subsidy scheme to assist in the raising of venture capital for young people, and the inclusion in Government contracts, such as the information technology and water industry contracts, of a clause identifying short and medium term youth employment strategies.

The Hon. DEAN BROWN: I did not sit on the task force, so I cannot answer for it.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Premier is answering the question.

The Hon. DEAN BROWN: Of course, the Chair of the task force happened to be the Deputy Director of the Department of the Premier and Cabinet, but only members of the task force could answer that question. The member for Kaurna was a member of the task force, so perhaps she could comment as she has moved a motion commenting on this matter.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The task force has highlighted the long-running problem with youth unemployment in South Australia and the fact that the failure of the former Labor Government can be squarely blamed for it.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: For 12 years—

Members interjecting:

The SPEAKER: Order! There are too many interjectors on my right who are being ably assisted in contravening Standing Orders by members on my left. I do not want any more of this behaviour.

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart.

The Hon. DEAN BROWN: For 12 years the Labor Government failed to take any action to restructure and broaden the economic base of South Australia, and the report clearly found that—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for the first time.

The Hon. DEAN BROWN: —South Australia's problems are due to the predominance of manufacturing industry in this State, and the fact that manufacturing industry is now employing people who must have skills and work experience, and therefore younger people are missing out. The good news today again reaffirms that this Government, over the past 2½ years, has broadened South Australia's economic base and has dropped our unemployment rate from 11.2 per cent to 8.8 per cent, and that is the lowest it has been for six years. Last year only two States in the whole of Australia recorded a drop in unemployment levels—Victoria and South Australia—and South Australia recorded the biggest drop of any State in Australia.

If we look at the trend terms, South Australia has dropped from 9.9 per cent to 9.3 per cent; and if we look at the actual figures, we have dropped from about 10.3 per cent to 8.8 per cent. Therefore, we can claim to have had the best record in reducing unemployment over the past 12 months of any State in Australia. The report highlights a couple of key areas, as mentioned in my ministerial statement. I will not repeat them, except to say that the report highlighted the problems of the high cost and the high risk of taking on unskilled, inexperienced people.

That is why, when we came to Government, we introduced a Bill to provide for a youth wage rate in South Australia. The Labor Government of South Australia set about ensuring that that legislation was defeated and opposed it in both the Upper and Lower Houses. This report highlights the need for a more competitive wage rate for young people who do not have the skills and the experience. So, the very recommendation from this report shows how far the Labor—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader of the Opposition will come to order.

The Hon. DEAN BROWN: —Party is off the mark in trying to create jobs, having failed the young people of South Australia for 12 years. I know it is an embarrassment to the Labor Party because it failed over 12 years to take any action

to create new industries in the areas of information technology, tourism and food and wine, which are the future jobs for young South Australians.

MANUFACTURING INDUSTRY

Mr CAUDELL (Mitchell): Will the Minister for Industry, Manufacturing, Small Business and Regional Development inform the House what future plans are being made for support and advice to any engineering companies to help boost jobs in the manufacturing industry sector in South Australia? Some firms in my electorate are concerned for the future of the South Australian Centre for Manufacturing and, in particular, the position of the engineering industry adviser and whether this advisory service will continue?

The Hon. J.W. OLSEN: As a result of a survey recently undertaken by the Engineering Employers Association there are some very encouraging signs for South Australia in the tooling and foundry industry. I will mention some of those positives and then explain the reasons why these excellent figures have been established. In the tooling program, there was a 12 per cent reduction in national employment trends between 1983 and 1992, while in South Australia there was a 30 per cent reduction. Between 1992 and 1996 there has been a 5 per cent increase nationally. In Victoria, however, it was minus 3 per cent, and in New South Wales it was minus 5 per cent. However, in South Australia it was plus 17 per cent.

In other words, this industry sector has turned the graph around from 1983 to 1992 and outperformed New South Wales and Victoria, setting a real base for South Australia. Employment growth of 4 per cent is estimated for 1995-96, while sales growth in 1993-94 was some 22 per cent, 37 per cent in 1994-95, and 45 per cent for 1995-96. In short, it is a support program that is re-establishing the tooling and foundry industries in the State, where both sales and employment trends are out performing every other State in Australia—not by a small margin but significantly out-performing every other State in Australia.

That is clearly the result of a range of policies that have been in place over recent years and endorsed by the policy of the Government to increase the Centre for Manufacturing's funding from $1.6 million last financial year to $5.1 million next financial year. This will support such programs as the Advanced Manufacturing Facility, which uses leading edge technology to assist local manufacturers to produce prototypes rapidly and cost effectively, reducing the cycle time from design to production; and the Silicone Works Centre, which was installed in November last year and which provides computer applications for manufacturing and is the only one of its kind in the South-Pacific region to develop prototype designs using sophisticated three dimensional computer modelling software.

The budget for the foundry and tooling programs will rise to a total of $900 000 in 1996-97, up from $565 000 last year. That goes towards high impact enterprise improvements for targeted companies and to encourage the establishment of a large tool and die manufacturing capability in South Australia, which is absolutely critical to underpin the automotive industry in this State. A strong and viable foundry and tooling sector, one that is internationally competitive, is needed to underpin our existing manufacturing base to maintain its international competitiveness. That is one reason why we are seeing companies like General Motors spend $1.4 billion on a second production line, and $500 million from Mitsubishi to take the Diamante into the international market and produce about 440 motors out of Adelaide to go back to Japan.

That is quite a turnaround from a decade ago when people said that the Button car plan would destroy the motor vehicle industry in South Australia. I refer to the focus of the motor industry, the international competitiveness of South Australia, the tooling and foundry program, the way in which the Centre for Manufacturing and a whole range of programs has assisted enterprise improvement and has enabled our industry and support industries to the automotive industry to be internationally competitive.

A question has been raised in recent days by the Engineering Employers Association about an adviser. Some 50 companies have undertaken enterprise review programs, resulting in a net increase in employment. In 16 companies doing the enterprise review and employing less than 50 people, the average increase in employment over one year was 12.8 per cent. In every one of those companies that went through the enterprise review, within a year the average increase was 12.8 per cent, and three firms with more than 100 employees averaged a 15 per cent increase in employment levels.

The success stories are, for example, Autotherm Pty Ltd, a precision manufacturer of small component parts and a supplier of plumbing ware to SA Water and United Water. Since 1992 its turnover has increased 10 times and employment by four times. Advice helped to introduce change and improve management and production systems. Axle and Engineering Sales and Service designs, which manufactures, repairs and maintains heavy machinery axles and gearboxes, moved to immediate delivery instead of having a six to eight week wait. It attributes its export success to the SACFM program, with 15 to 20 per cent of its production now exported.

In relation to the AusIndustry program, Mr Bryan Loftes in the past has been employed by AusIndustry and the South Australian Government. AusIndustry has withdrawn its part of the funding towards Mr Loftes, but the South Australian Government, until a second application is submitted in the next few weeks at the invitation of the Commonwealth Government, will continue the funding with the Engineering Employers Association to get continuity of programs such as this that are really giving substantial help and facilitating the growth, enterprise improvement and international competitiveness of manufacturing industry. From the statistics, both in sales volume and in employment, it will mean an improvement in South Australia and in economic activity within South Australia.

SCHOOL LEAVING AGE

The Hon. M.D. RANN (Leader of the Opposition): Given statements made by the Minister for Education and Children's Services attacking plans by the Opposition to introduce legislation to raise the school leaving age to 16 years, does the Premier agree with the recommendation of the South Australian Youth Employment Task Force that the school leaving age should be raised to 17 years? The task force report recommends that the Government should 'consider raising the school leaving age incrementally to 17 years of age by the year 2000'. A media report on 5 May stated that the State Government believed raising the school leaving age to 16 years could cause more problems than it

solved. The Minister for Education, in attacking any move to raise the age to 16 years, said:

> If they don't want to stay at school, they don't want to stay somewhere else, they'll head off somewhere or else they'll cause some particular problem.

The Hon. DEAN BROWN: First, let me assure the House that I have already said today—and I said it in my Ministerial statement, as well—that there are recommendations in this report, and it is available for public comment. If the Leader of the Opposition wants to make some public comments, they will be acknowledged. After the Government has received his comments, we will sit down and look at the recommendations and make decisions. The Government has to look at, for example, where we will achieve the greatest benefit from each dollar spent trying to create jobs for young people in this State, making sure that they are long-term jobs. The Government will look at a range of initiatives that were put up in the report and the cost of those recommendations.

In terms of retention of children at school until the age of 17 years, the recommendation is that that would not be achieved until 2000. The Government will look at that and see what benefit we think can be achieved from it. I highlight what I think is the most important feature of the report: we must put in place in schools programs that give more work experience and help the transition of these potentially unemployed people from school to work. I also indicate that the Chair of the task force has just reported back through my office that no recommendations agreed to by the task force were removed.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I refer the Leader to Standing Order 137.

The Hon. DEAN BROWN: In fact, one member of the task force put forward some recommendations, but the rest of the task force did not accept those recommendations. That has come from the Chair of the task force.

The Hon. M.D. Rann interjecting:

The Hon. DEAN BROWN: Is the Leader of the Opposition saying that Christine Charles is a liar?

The Hon. M.D. Rann interjecting:

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

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: That is the clear inference of the Leader of the Opposition: he has just accused the Chair of the task force, Christine Charles, Deputy Director of the Department of the Premier and Cabinet, of being a liar. He has just accused—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The Leader of the Opposition has accused Christine Charles, the Deputy Director of the Department of the Premier and Cabinet, not only of being a liar but of doctoring the report. Let us see what she has to say as Chair of the committee, and perhaps we should see what some other members of the task force have to say as well. The past few minutes and the nature of the questions asked in the House today show the extent to which the Leader of the Opposition is, once again, using shabby politics, and in this case trying to use the unemployed young people of South Australia for his own political gain, knowing that, when he was in government, they failed miserably by producing the highest—

The Hon. M.D. Rann interjecting:

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

The Hon. DEAN BROWN: Listen to him; he just can't help himself. When he was sitting around the Cabinet table, he produced the highest youth unemployment rate and the highest level of unemployment this State had ever seen—45 per cent unemployment amongst youth when the Leader of the Opposition was a Minister.

Members interjecting:

The SPEAKER: Order! I do not want any further interjections.

The Hon. DEAN BROWN: There was 12.2 per cent unemployment in South Australia when the Leader of the Opposition was a Minister, and that is now down to 8.8 per cent. No wonder he is embarrassed.

The Hon. M.H. Armitage interjecting:

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

The Hon. DEAN BROWN: The Leader of the Opposition, together with his ministerial colleagues in the Labor Government, produced the devastating effects of unemployment in this State. He produced the State Bank crash, lost industry out of the State, and lost the jobs themselves.

The Hon. S.J. Baker interjecting:

The SPEAKER: The Deputy Premier is not helping.

The Hon. DEAN BROWN: The Leader of the Opposition has shown that he has no credibility whatsoever on this issue. He is no longer worth answering.

The Hon. H. Allison interjecting:

The SPEAKER: The member for Gordon is out of order. I have spoken to the Leader of the Opposition three times today. The Chair will not continue to tell members not to interject. Question Time is not a forum for a running debate across the Chamber. I hope that members have taken note of what I have said.

EMPLOYMENT

Mrs ROSENBERG (Kaurna): Will the Premier expand on his previous comments to this House regarding the latest trends in South Australia's employment and unemployment rates as announced this morning by the Australian Bureau of Statistics' Labour Force Survey, and in particular the unemployment trend for youth over previous years compared with the term of this Liberal Government?

The Hon. DEAN BROWN: Youth unemployment in South Australia peeked in May 1992 at 45 per cent, and that is when the Leader of the Opposition happened to be a Minister sitting around the Cabinet table.

Members interjecting:

The SPEAKER: Order! I do not want any interjections on my right.

The Hon. DEAN BROWN: On the latest figures we now have full-time youth unemployment down to about 36 per cent. In fact, we now have the highest level of employment ever recorded in this State: on seasonally adjusted figures, 663 800 people are employed in South Australia. That is a record in this State—663 800 people employed in South Australia. In fact, the number of people who have found a job in the past month alone was lifted by some 5 600. That shows that, in South Australia, the Government is being successful in creating jobs. During the past 12 months this Government has been more successful than has any other State Government in reducing unemployment within the State.

YOUTH UNEMPLOYMENT

Ms WHITE (Taylor): My question is directed to the Premier. What effect will the announced massive cuts to the Commonwealth Labour Market Programs have on the State's ability to combat South Australia's youth unemployment problem? The Federal Liberal Government is currently cutting programs designed to assist unemployed young people. These cuts include a 33 per cent cut to Skillshare and NEIS, an 80 per cent cut to LEAP and Jobskills, and a 50 per cent cut to job training and special intervention programs.

The Hon. DEAN BROWN: The State Government, in its latest budget which is currently before this Parliament, has introduced a number of new schemes specifically designed to give jobs to unemployed young people in the community. The report that has been tabled has highlighted the success of a number of those schemes and has recommended that they be further expanded. A youth employment brokering scheme is one such scheme into which the State Government, in its latest budget, has put additional money, and now we see the Youth Employment Task Force recommending a further expansion of it.

The State Government is negotiating with the Federal Government on a range of initiatives to help develop the transitions from school to work. I know that the Minister has been in touch with the Federal Minister to look at a number of these programs. We are concerned that effective programs are put in place in the schools which give specific work experience. I have come across a couple, one of which, in particular, at Willunga, encourages students to work in a private company one day a week whilst they are still at school—

Ms White interjecting:

The SPEAKER: I call the member for Taylor to order.

The Hon. DEAN BROWN: —and they have found that the numbers who have obtained jobs after leaving school have been much higher than the normal level of students leaving school. It is programs like that, which are largely initiated by the State Government, that should be put in place, and the State Government will continue to pursue them.

OLYMPIC GAMES

Ms GREIG (Reynell): My question is directed to the Minister for Recreation, Sport and Racing. What strategies are being pursued to maximise South Australia's opportunities, both sporting and economic, arising from the staging of the Sydney 2000 Olympic and Paralympic Games? Will the Minister also inform the House of South Australia's participation in Austrade's sports promotion in Atlanta?

The Hon. G.A. INGERSON: Before I answer the question, I should like to put on the public record some excellent support which has come today from BankSA, the *Advertiser* and 5AA in setting up a brand new junior sports award for South Australia. This award will recognise juniors under the age of 18 who have achieved spectacular performance in their sport. It provides $1 000 every two months, and at the end of the year there will be a special $5 000 award for the best junior athlete of the year. It is very important that the private sector should support the Government in recognising that young athletes are likely to be the champions leading up to the year 2000 and that they should be supported. I congratulate those three companies on their support.

The Office of Recreation, Sport and Racing and the Department for Industry, Manufacturing, Small Business and Regional Development have combined with Austrade to set up a major exhibition in Atlanta to sell to the participants and the countries that will be there the opportunities to prepare their athletes in Adelaide and in South Australia's regional areas in the lead-up to the year 2000. The program being put together by the two departments, which is being done under a special multimedia program, is excellent. It is a very strong promotional campaign to sell South Australia not only to the world but, more importantly, to all the competing nations.

It is expected that about $25 million may be available to the South Australian economy in the next four years with athletes and their teams coming to this State. Whilst people often do not see sport as a big economic driver, we have only to consider that recently a soccer team came here from Japan and spent in excess of $600 000 training its players for two weeks. If we can multiply that over a long period, we can see that there is a tremendous amount of economic value in sport.

It is estimated that between now and the year 2000 some $7.3 billion will be spent in Australia as a result of the Olympic Games. If, as part of this Athlete Prepared to Win Program, we can get $25 million of that large sum of money, it will be very good for the South Australian economy. I look forward to representing our State, the Government and the Opposition in Atlanta over the next few weeks and making sure that the Athlete Prepared to Win Program, which has been put together in an excellent way by the two departments, goes out all over the world.

BALFOUR WAUCHOPE BAKERY

The Hon. M.D. RANN (Leader of the Opposition): What assurances can the Premier give that the Balfour Wauchope Bakery will continue in South Australian ownership and that the 500 jobs dependent on this will be secured in the future? It has been claimed by shareholders of the 140-year-old South Australian-owned company that the Government and the South Australian Asset Management Corporation intend to force the sale of the company to the part Hong Kong-owned firm, Allard. On radio yesterday a company shareholder stated:

> We've been driven into a fire sale situation by the Government.

The shareholder, Elizabeth Balfour, has claimed that the company has met every loan repayment to the Government and that Balfour is 'trading very profitably. . . and. . . has had an all-time high for June'.

The Hon. S.J. BAKER: It is important to understand that one thing that has been revealed is that Balfour is a client of BankSA. As such, as the Leader and everybody else would know, we cannot comment under section 35 of the Act. I wish that the Leader had checked this before asking the question.

The Hon. M.D. Rann interjecting:

The Hon. S.J. BAKER: Just be aware that I cannot in any way comment upon Balfours.

The Hon. Frank Blevins interjecting:

The Hon. S.J. BAKER: But I will talk about SAAMC and the way in which the accounts have been handled. The South Australian Asset Management Corporation was set up in 1994 to deal with the run-off of impaired and non-performing assets of the old State Bank. The Opposition—

The Hon. Frank Blevins interjecting:

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

The Hon. S.J. BAKER: The Opposition will be well aware of the $3.15 billion bail-out as a result of its efforts in

Government. SAAMC has had to handle many hundreds of bad accounts not only in South Australia but nationally and internationally. These accounts not only resulted from poor lending practices but were often impaired by bad management and the unrealistic expectations of the owners. Many were classic results of the excesses of the late 1980s and early 1990s.

I point out that SAAMC has dealt with some of the greatest promises in the world from managers and owners of businesses desperate to retain Government funding of their enterprises. Invariably, when latitude has been given, SAAMC has been let down because those who had given the assurances have not performed. It is interesting to note that when SAAMC commenced business on 1 July 1994 it had assets of $1.729 billion in the corporate category. By 30 June this year that amount has been calculated to be just $125 million. It is important to note that SAAMC has achieved above budget profits to date, and I expect to be in a position shortly to detail the full year's profit.

SAAMC has worked through every account to develop strategies for exiting these accounts and, importantly, recovering funds which belong to the taxpayers of this State. I do not believe that anybody in this Parliament believes that taxpayers should provide corporate finance in South Australia. I think that everybody should reflect on the smooth transition and wind-out of assets that occurred under the professional handling of the South Australian Asset Management Corporation. It is important to note that its success in recovering funds will reduce the State's debt, and we will all be the better for that experience.

SAAMC started with a balance sheet of $8.4 billion and it has now been reduced to $2.9 billion. There were approximately 700 exposures, of which 500 were loans and receivables of the former Group Asset Management Division of the old State Bank; there are now about 100. Many of the accounts that have been dealt with by SAAMC fall into three problem areas: poor management, excessive debt accumulation and the inability to act on market deterioration. The prime objective of SAAMC is to make these businesses bankable, and it has been hugely successful in this task, as most people would recognise. In terms of specific problems that have not been resolved, because management has not reached the level required, much work has been done on some of these accounts.

The difficulties we face are whether there has been goodwill in the process and the extent to which we can effect a smooth exit from the financing of these businesses. As I said, the amount of business left in SAAMC is very small. The sorts of things we have sought from the boards of management of these organisations and businesses have been fourfold: first, a recognition of the fundamental problems they have incurred; secondly, a total commitment to the restructuring of the debt to reduce ongoing exposure; thirdly, to have a business plan which works in the short and in the long term; and, fourthly, the capability to transfer their skilled resources to meet the existing needs. In some cases these ingredients have not been met, while in many cases they have been.

Mr FOLEY (Hart): My question is directed to the Minister for Industry, Manufacturing, Small Business and Regional Development. Is the Government offering a $2 million incentive package to the Hong Kong-based firm Allard that is seeking to purchase Balfours, as claimed on radio this morning, and what assurances have been given concerning the continued operation of the 140-year-old factory and the employment of 500 Balfours workers?

The Hon. J.W. OLSEN: The Government has not been approached nor opened up discussions with any Hong Kong-based company or any other company to supply $2 million or any other sum for a company to buy out Balfours.

ABORIGINAL HEALTH

Mr LEWIS (Ridley): Following on from the Minister for Health's remarks in the Estimates Committee on 27 June, what information can he give the House about improvements to the delivery of Aboriginal health services in South Australia?

The Hon. M.H. ARMITAGE: I thank the honourable member for his question, which is a particularly important one in an area in which all Australians acknowledge that the Aboriginal community has a number of health indicators which are, quite frankly, appalling. Since coming to Government we have given a very high priority to Aboriginal health. In particular, we launched what I believe is the best document in Aboriginal health in Australia, entitled 'Dreaming Beyond 2000'. If any members of the House have not seen a copy and would like to receive one, please let me know. This is a document based on community consultation but, importantly, it is a completely outcome orientated strategy to address Aboriginal health needs in South Australia.

The outcomes are quite specific in a number of areas of major concern for the Aboriginal community, and they have quite specific time frames as well. In other words, 'Dreaming Beyond 2000' holds health services accountable. We have also established the nation's first Aboriginal Health Division, and the Executive Director has been appointed to the Executive of the Health Commission, which ensures that Aboriginal perspectives on all health matters are heard and fed in at the highest level of policy development. Since coming to Government we have divided rural South Australia into a number of regions. At my insistence, each regional board will have an Aboriginal representative on that board to ensure, again, that Aboriginal perspectives are heard and fed in at that level.

It is important to note that support levels have been put in, if you like, under these Aboriginal board representatives to ensure that that representative is supported. Indeed, in one of the regions, in an initiative which I know is being spread throughout this State, the Aboriginal representative and the Aboriginal community have provided some cross-cultural awareness for the members of the board. Very importantly, tomorrow South Australia will sign Australia's first Aboriginal and Islander Health Partnership Agreement involving the State Government, Commonwealth Government, ATSIC and the Aboriginal Health Council.

This contains a commitment from all parties to work to improve Aboriginal and Islander health outcomes. There is an emphasis in the partnership on joint planning processes so that regional and community plans can be developed and, indeed, I will insist that the themes of 'Dreaming Beyond 2000' form part of those outcomes. The agreement will also establish a coordinated and collaborative forum in which the various parties can approach issues and address ways of resolving them.

A lot of hot air has been generated about the relationship between the new Federal Government and the indigenous community. There is a vast difference between hot air and practical outcomes. This process has demonstrated to me

quite convincingly the personal commitment of the Federal Minister for Health, Dr Michael Wooldridge, because, in fact, this agreement was first mentioned about a year ago when Carmen Lawrence was the Minister for Health in the previous Labor Government. I was very excited at that stage about advancing this great partnership, but between that date and the Federal election it went nowhere. Despite all the pious platitudes of the previous Minister for Health, it went nowhere. At one of my first meetings with the new Minister for Health I mentioned how disappointing that was. He said, 'Let's fix the problem.' Tomorrow, as I said, we will sign Australia's first Aboriginal and Islander Health Partnership Agreement, which is a great plus for everyone.

DOCTORS, MOUNT GAMBIER

Ms STEVENS (Elizabeth): Given the Premier's advice to the House last week that the Minister for Health has accepted an invitation from the member for Gordon to go to Mount Gambier and talk to the people involved in the obstetrics dispute, will the Minister for Health advise when that meeting will take place? Today, the Minister said that he has asked the Chief Executive Officer of the South Australian Health Commission to again visit Mount Gambier. Why don't you go?

The SPEAKER: Order! The member for Elizabeth knows full well that that part of the question was completely out of order and, therefore, the honourable member is off the list on the next sitting day.

The Hon. M.H. ARMITAGE: The answer is, 'It is an invitation from the member for Gordon.' As short a time ago as during Question Time I actually passed a note to the member for Gordon to continue to identify a date. As soon as that date is identified, I am sure we will tell everyone.

TEA TREE GULLY COUNCIL RATES

Mrs KOTZ (Newland): Will the Minister for Housing, Urban Development and Local Government Relations advise the House of any action he can undertake to address the concerns of Tea Tree Gully ratepayers? Tea Tree Gully council has advised its ratepayers of a change in rating properties from site value to capital value. Constituents have advised me and the member for Florey that they have received a letter of notification stating that 13 000 properties can expect an increase in rates and that 2 500 properties will attract a substantial increase. One of my constituents used the example whereby last year's rates of $695 would increase this year to $1 075.60.

The SPEAKER: Order! The Chair has some difficulty with the question, because the actual setting of rates is a matter for the council—not for the Minister. I will allow the Minister to answer only that part of the question which falls within his jurisdiction.

The Hon. E.S. ASHENDEN: I thank the honourable member for her question, because the nub of the question is that, once again, she is trying to look after the interests of her constituents. She has been contacted, as has the member for Florey, and, I can assure members, my office also, by constituents in relation to the Tea Tree Gully council's action. The honourable member has asked whether there is anything I can do to assist. Let me make it quite clear in answering the question that I do not deny the council the right to change the basis on which it structures its rates. It has moved from the unimproved land value to the improved capital value, which is in line with what virtually every other council in the metropolitan area has done as far as its rate basis is concerned. Therefore, I have no quarrel, and I understand the members have no quarrel, with the change in the basis of rating. However, what the council has not done is to meet a commitment which it gave previously that, if it were to change the basis of its rating system, it would phase it in over a period of four or five years so that any increase in rates for those who would receive a substantial increase would be much more gradual and pretty well in line with the increase in rates that would have occurred anyway with the unimproved land values.

However, the council has determined that it will not provide that phase-in period. As a result, I can assure the honourable member that my office has been inundated with phone calls from people living in the Golden Grove development who will be substantially affected by the council's decision, because they also are concerned. The rates decision will not be taken until the meeting of the council on Tuesday next week. I have urged the council, and I suggest to all my constituents that they do likewise, to reconsider the decision it has taken.

The setting of rates is a local government matter. It is for the council to determine but, when a council takes an action such as this which impacts so badly and heavily on so many of its ratepayers, I frankly cannot understand why it is doing what it has done. For the council to say that it will protect those ratepayers by making sure that the maximum increase will be 50 per cent, to me smacks of an almost total lack of understanding of the impact that this increase will have. When you consider that the constituents of the member for Newland, like my constituents and others, would be budgeting the way in which they will spend their money, suddenly to find that they will have to pay $500 or $600 more in rates than they have in the past, would be an impossible task for many families. I support the member for Newland and the member for Florey, and I urge the council that, in making its decision to change the basis of its rating system, it go back to its original promise and phase in these rate changes over a period of four or five years.

Ms White interjecting:

The SPEAKER: I call the member for Taylor. If the member for Taylor was not interjecting, she would be ready to be called.

STURT STREET PRIMARY SCHOOL

Ms WHITE (Taylor): Following the Premier's statement last week that South Australia needs programs to attract more migrants and the announcement by the Federal Minister for Immigration that a greater percentage of Australia's migrant intake will be directed to South Australia, will the Premier place a moratorium on the Government's decision to close the Sturt Street Primary School? The Sturt Street Primary School, which delivers the Commonwealth funded new arrivals program for about 100 migrant children, will be closed by the Minister for Education at the end of this year.

The Hon. DEAN BROWN: It is clear that the honourable member has not read what the Minister for Education has said. The programs currently conducted at the Sturt Street school will be moved to the Gilles Street school. In fact, I have already written a letter and highlighted the fact that they would expect to double the number of students undertaking particularly the language training courses at Gilles Street. As a result, they expect to be able to improve the quality of

education for those students involved. Therefore, rather than there being any cuts in education services, the Education Department will be able to provide a better service for twice the number of students at the Gilles Street school.

ENVIRONMENT PROTECTION AUTHORITY

Mr BROKENSHIRE (Mawson): My question is directed to the Minister for the Environment and Natural Resources. As parliamentary secretary, I would like to advise the House that it is 21 years to the day since Mr Wotton came into this Parliament.

Members interjecting:

The SPEAKER: Order! And also, I think, the member for Gordon.

Mr BROKENSHIRE: Thank you, Sir, and what a marvellous Minister he is.

The SPEAKER: Order! That comment is out of order.

Members interjecting:

The SPEAKER: Order! The honourable member will ask his question.

Mr BROKENSHIRE: Will the Minister explain how the Environment Protection Authority is funded and whether the funding base constitutes a licence for South Australian industry to pollute our environment? An environmental group has recently criticised the EPA funding formula as being too heavily linked to the level of pollution. It has been suggested that licences give industry the green light to pollute, and that the more pollution there is the more money the EPA receives.

The Hon. D.C. WOTTON: I thank the member for Mawson for his question and his congratulations. I am sorry that the member for Gordon is not here because I would like to pass on my congratulations to him also for being in the House for 21 years today.

An honourable member: And the member for Giles.

The Hon. D.C. WOTTON: And the member for Giles. The year was 1975. The question that the member for Mawson asks is very important, as it relates to the responsibilities of the EPA. I welcome the opportunity to put on record the basis for licence fees under the objects of the Environment Protection Act. I point out that licence fees comprise only a minor portion of the EPA's revenue. Specifically, the EPA has a duty under the Act to promote the commonsense principle that those who pollute bear an appropriate share of the costs. That is the way it should be, and I think it would be inappropriate for anyone to contradict that.

Under this philosophy, hundreds of millions of dollars are now being spent and earmarked by industries in this State to improve their environmental performance and, in particular, to meet their licensing conditions. This level of expenditure on environmental upgrades has also created a substantial environment management industry in South Australia. Importantly, it also means that the environmental legacy for future generations will be better than the one that we inherited. I can name companies such as BHP at Whyalla and Pasminco-BHAS at Port Pirie, which through their obligations under the Act are now spending considerable sums to address a number of issues. It should also be pointed out that EPA licences do not give any company the go-ahead to continue to cause ongoing environmental harm; nor would we want them to. Specifically, the EPA has a duty to ensure that any polluter progressively makes environmental improvements as part of licensing conditions.

To this end, the EPA is negotiating environment improvement programs with more than 200 companies in South Australia, and it has also instigated educational pollution prevention programs for small to medium industry in the metropolitan area. In addition, the EPA requires major industries which discharge into South Australian waters to undertake monitoring programs which are independently verified by experienced professional scientists. It is important that people realise the independence of this process. This effectively requires the polluter, not the public, to assume the costs of monitoring. Again, I think we would all agree that that is the way it should be. The use of independent authorities in checking the results is yet another safeguard to give the public and the EPA confidence in the outcome of this monitoring. I close by saying that I reaffirm the Government's policy commitment to the appropriate resourcing of the EPA, and I believe that the EPA funding formula is most appropriate at this stage.

STURT STREET PRIMARY SCHOOL

Ms HURLEY (Napier): Given the Premier's criticism that the Adelaide City Council lacks vision, what is the Premier's response to a letter signed by the Lord Mayor and all members of the council seeking a moratorium on the Government's decision to close the Sturt Street Primary School? The letter to the Premier from the Lord Mayor dated 1 July 1996 states:

> It is premature to close the Sturt Street school when both your Government and this council have stressed the importance of promoting residential development in the city.

The Hon. DEAN BROWN: I indicate that I have replied in a letter, highlighting that the services being provided at the Sturt Street school will now be provided at the Gilles Street school. A number of students are involved in a range of language programs, and I am told by the Minister for Education and Children's Services that the quality of service that can be delivered at the Gilles Street school will, in fact, be better and more sustainable than that which was previously delivered at the Sturt Street school. I noticed that the Adelaide City Council was offering to fund the Sturt Street school. I might be wrong, but I thought I heard a radio report one day indicating that the council was offering to put in some money. I would have thought there were more effective ways in which the City Council of Adelaide could spend its money.

FISHING, ILLEGAL

Mr ROSSI (Lee): Will the Minister for Primary Industries explain to the House what measures are being taken to track down illegal fishing, considering that when I worked for the Fisheries Department, in 1973, plenty of fishermen were catching undersized fish?

The Hon. R.G. KERIN: I thank the member for Lee for his question and the other information he gave us. We are all aware of his interest in fishing compliance and, in fact, all matters of law and order. I, like many people, am very concerned about the continued high levels of illegal fishing in areas of the State, but particularly the present reports of recreational anglers catching fish for commercial sale. One area where illegal fishing is of particular concern is the Whyalla region. The main problem appears to relate to unlicensed people taking excessive catches of scale fish and selling them. I can report to the House that fisheries compli-

ance officers will soon be out and about in the Whyalla, Port Augusta and Cowell districts to boost information about fisheries regulations and to crack down on illegal fishing.

From Saturday 20 July, PISA will have fisheries compliance officers in attendance at the Whyalla Sport Fishing clubrooms, adjacent to the Whyalla boat ramp. The officers will be on temporary assignment for six months and will patrol the Whyalla, Port Augusta and Cowell districts. Fisheries compliance officers will be present in the clubrooms between 9 a.m. and 5 p.m. on specific days to answer directly any questions about fisheries regulations and to hand out information brochures. Patrols, inspections and investigations will be conducted by the officers during the six months in a concerted effort to reduce the incidence of illegal fishing activity in the area; and, as we all know, the northern Spencer Gulf is a very important part of the fish breeding grounds of the State.

The fishing industry is important to South Australia. It is vital that we all take responsibility to ensure that it is managed properly for the long-term future. In that way we can ensure a viable fishing industry in the future and also a worthwhile recreational resource. We encourage all members of the public to report fishing offences to the 24-hour fish watch number, and that applies to fishing offences anywhere in the State. Our compliance efforts around the State will remain vigilant but, at this time, we will pay specific attention to the northern Spencer Gulf and the illegal sale of fish.

AUSTRALIS MEDIA

Mr FOLEY (Hart): My question is directed to the Minister for Industry, Manufacturing, Small Business and Regional Development. Is the Minister concerned about the position of Australis Media's Adelaide operations and the future of the substantial Government funds invested in those operations now that the company has missed the deadline for meeting the conditions as set down by its creditors? Media reports have indicated that Australis Media has failed to meet all the conditions laid down by its creditor, Publishing and Broadcasting Limited, by the deadline of last Tuesday. Following this, PBL has the right to sell off the assets of Australis and, in addition, it is reported that Australis has suffered a 10 per cent fall in subscriptions.

The Hon. J.W. OLSEN: I have answered questions on Australis week after week, and the answer today will be no different to the answers given previously, and it will be no different to my response to the member for Hart's press release in relation to Actil, where 600 jobs are at stake; or at Balfours, where hundreds of jobs are at stake. It seems that the member for Hart, for blatant political purposes, wants to dance on the graves of companies that could fall over.

Mr Foley interjecting:

The Hon. J.W. OLSEN: The honourable member knows full well that, as far as South Australian taxpayers are concerned, the investment in the Australis building is secure, and he also knows—

Mr Foley: It is not.

The SPEAKER: Order! The member for Hart will come to order.

The Hon. J.W. OLSEN: —and he also knows—

Mr Foley: It is not.

The SPEAKER: Order! I warn the member for Hart for the second time today.

The Hon. J.W. OLSEN: The member for Hart has got it wrong yet again. He wants to dance on the graves of companies that are going through difficult times. He might well do that, but this Government will not. Whether it is Australis, Actil, Balfours, or any other South Australian company, there is one overriding objective of this Government: protection of the jobs of South Australians in those companies; and retention of those jobs for South Australians in those companies. We will work with any company as and when required to protect jobs.

YOUTH UNEMPLOYMENT

Mr BRINDAL (Unley): Will the Minister for Employment, Training and Further Education—

Mr Foley interjecting:

Mr BRINDAL: Can the member for Hart not hear?

Mr Foley interjecting:

The SPEAKER: Order! The member for Unley has the call and it is very rude to interrupt him.

Mr BRINDAL: Will the Minister provide details of State Government initiatives to help the young unemployed in South Australia?

The Hon. R.B. SUCH: I thank the member for Unley for not only the question but his ongoing interest in matters affecting young people. The honourable member has represented me very well at several functions, including attending Paralowie House on my behalf some time ago. It is important that members understand the range of programs we have in place to help young South Australians obtain employment. We are not saying these programs are the answer to all our prayers. Our main thrust is through the Premier's and the Minister for Industry, Manufacturing, Small Business and Regional Development's attracting private sector investment into this State by creating a climate of permanent employment in industry.

To supplement that we have a range of programs which are the most innovative in Australia. Recently I was interviewed by Jane Figgis of the ABC—an excellent organisation of which I am a strong supporter—and she indicated how innovative South Australia was. I am also advised that in this week's edition of *Business Review Weekly* an article praises some of the South Australian initiatives. I will briefly detail some of them to remind members of our commitment, which was reflected in a $500 000 allocation in the recent budget for the programs KickStart for Youth and Focus on the Future. KickStart for Youth targets disadvantaged youths aged 15 to 19 years, and Focus on the Future targets 13 to 15 year-olds, so they do not become long-term unemployed. Both are very successful programs being copied by other States.

Upskill is part of contract compliance. If companies want Government business in the civil construction area they must indicate, via their tender, their commitment to employ and train South Australians, particularly young South Australians. That is another South Australian innovation. The Premier mentioned the Employment Brokers Scheme—another South Australian innovation—which turns part-time work into full-time work using private labour companies. That has been a very successful program, and it has gone beyond that notion of turning part-time work into full-time work. We have introduced self-starter schemes to assist young people, unemployed or otherwise, to start their own businesses with a cash grant, a mentor scheme and a training program.

Our regional labour exchange scheme provides trained, skilled workers in regional areas to meet the seasonal demands of horticulture and other agricultural pursuits. Finally—and this is not the end of the list of commitments we

have towards young people—we have the traineeship scheme, which targets 1 500 young people to enter the Public Service. Currently we have employed almost 500 young people and, once again, that program has been hailed as an innovative program for Australia because it has gone beyond simply clerical trainees to include dental assistants, horticulture and a range of activities. This Government's main focus is on creating permanent jobs and encouraging the private sector, but we have a range of innovative programs as part of our commitment to assist young South Australians.

PRISONER TRANSFER

Mrs GERAGHTY (Torrens): Will the Minister for Correctional Services inform the House why he will not sign a prisoner temporary transfer form for a New South Wales inmate and grant the inmate a transfer to see his dying aged mother?

Members interjecting:

Mrs GERAGHTY: Just a minute.

Mr Becker: You should write a letter.

Mrs GERAGHTY: I did that five times and I still did not get anywhere. I have been informed that a New South Wales prisoner has requested a transfer for one month to see his dying mother currently residing at the Phillip Kennedy Hospice Centre. This medical condition has been confirmed by Professor John Horowitz, Head of the Cardiology Section, Queen Elizabeth Hospital. Under the Prisoner (Interstate Transfer) Act, New South Wales Correctional Services agreed and the transfer was signed by the New South Wales Minister for the service. My information indicates that Sue Vardon has signed the recommendation for transfer, that today the Minister's staff recommended the transfer and that the family has agreed to pay all the travel and associated costs.

The Hon. W.A. MATTHEW: I am pleased to answer the question. Yesterday afternoon I received a letter from the New South Wales Minister recommending that consideration be given to approving the temporary transfer of a prisoner to South Australia. At this time the family has not been advised of my decision because I saw the documentation only last night. Certainly, I do not intend to discuss any decision in this House in advance of the people involved being advised of it.

ELECTRONIC COMMERCE FOR PROCUREMENT

Mr ROSSI (Lee): Will the Minister for State Government Services say whether electronic commerce for procurement has been considered by the Government to improve procurement practices?

An honourable member interjecting:

Mr ROSSI: I did not work for it this time, but I know there is a computer program on CD Rom containing bar codes and pictures of items to be purchased. This would facilitate easy purchasing.

The Hon. W.A. MATTHEW: I thank the member for Lee for his question and acknowledge the honourable member's interest in the movement of Government toward a much more efficient base, and I commend him for the initiatives he has encouraged through debate in this House. The implementation of electronic commerce for procurement is part of the Government's overall mechanism for achieving structural reform within the area of Government supply. Indeed, it is a key component of the Government's vision for electronic services business. Many members would be aware that the Government has now signed a contract with ISSC IBM for electronic services business.

As part of the result of this contract, Services SA becomes a lead agency in the development of services for electronic trading and procurement within the public sector. Essentially, the implementation of the electronic commerce for procurement system offers the potential to introduce a number of key efficiencies into Government, including reducing the cost of Government supply management; adding value to operational agencies by reducing repetitive non-value-added activities; acting to facilitate a single common business language standard across Government, not unlike the standard Government software packages that are now used within Government, allowing business—particularly small and medium-sized enterprises—easy access to Government procurement information, including bidding opportunities, contact personnel and supply policies; and delivering improved returns by shifting the focus of Government from administrative activities to value-added activities through effective business re-engineering practices.

In addition, the State Supply Board has been undertaking a whole of Government review of procurement functions, and I expect to receive its finalised report by the end of this month. The recommendations of an interim report, which the board has already forwarded to me, identify electronic commerce as a mechanism to achieve considerable savings to Government.

In developing the implementation of electronic commerce for procurement, the Government recognises that many private sector companies and other communities within our country have the development of procurement systems well under way. Those communities are of significant interest to the Government and, therefore, we will certainly ensure that the implementation of our electronic commerce for procurement system is undertaken in such a way as to achieve the maximum benefits from existing initiatives, not only within Australia but also overseas. Certainly, I look forward to providing to the House an update on the progress of the implementation of this innovative high technology procurement system and the benefits it will bring to all South Australians, to South Australian business and to the Government alike.

MINES AND ENERGY EDUCATION

Mr CUMMINS (Norwood): Will the Minister for Mines and Energy provide details of work being undertaken by Mines and Energy to provide educational materials to our schools that outline the benefit of mining in South Australia?

The Hon. S.J. BAKER: One of the important initiatives being taken by the Government and by Governments around Australia is to allow some of our younger people to gain a greater appreciation of the benefits bestowed by a vibrant mining and energy—particularly mining—sector. One of the great myths of our time is that cars grow on trees. Some kids and a large number of people believe that these things just happen, that things are not actually manufactured and we do not have the ore drilled and taken out of the ground. It is a myth that is spread by the environmental groups suggesting that we can have all the trappings of modern day living without any of the mining and associated manufacturing activity necessary to make it work.

It is absolutely vital that we all appreciate the tremendous contribution made by our mining and manufacturing indus-

tries to the extent that we treat them with a great deal more respect than we have in the past. Importantly, there has been a growing awareness amongst the mining fraternity that more has to be done on the education front. That has translated itself into resolutions before the ANZMEC conference and a commitment by all States to make a contribution in that regard.

A kit is being produced—and I will mention it briefly—as a result of the ANZMEC 28 meeting in Perth. It is an exciting project to allow some of our younger people to understand the full extent of the benefits that can prevail under a vibrant mining sector. A video is being produced with a number of modules including the importance of resources; exploration, mining and processing; environmental management; using resources from the earth; ground water; careers; energy; and finding the right balance. It is all about finding the right balance—the demands of modern day living balanced against the need for a sustainable environment. The video puts the position into perspective and balance. A number of exercises are associated with the CD Rom that is also being produced.

We have been fortunate with the services provided through DECS and DETAFE to produce this information. I believe it will be a highly professional kit and I am sure it will do a great deal to improve the understanding of the tremendous contribution and environmental awareness associated with mining in this country, particularly in South Australia. Later this year we will see a launch of this kit and I am sure everyone will benefit from the experience.

EASTERN COMMUNITY MENTAL HEALTH SERVICE

Mrs GERAGHTY (Torrens): Will the Minister for Health ensure that accessible after hours services are available to families and clients of the Eastern Community Mental Health Service at Felixstow? Families have recently been placed in exceptionally difficult and traumatic circumstances after-hours, and particularly on weekends, as the only contact with the service is by an answering machine. In an emergency, it can take more than two hours for a return call, the callers often only being told to call back the following Monday. Clearly this facility is under resourced.

The Hon. M.H. ARMITAGE: The whole question of access to these sorts of services is to be addressed when the community teams to which I have referred in the House so often in the past are put into place, and that will be shortly.

PUBLIC WORKS COMMITTEE

Mr OSWALD (Morphett): I bring up to the twenty-eighth report of the committee on the Mile End Athletics Stadium and the twenty-ninth report on the West Beach Recreation Reserve, airport runway extension redevelopment, and move:

That the reports be received.

Motion carried.

GRIEVANCE DEBATE

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

Mr BROKENSHIRE (Mawson): Last night, I was the lucky member of the South Australian Parliament who happened to be on the national program *A Current Affair*, which ran a story involving a few issues. As part of my recent trip, I was involved in a couple of issues, one of which is recycled water. If we are fortunate enough to get recycled water back into the Willunga Basin, 500 jobs will be created immediately as a result—and that is conservative—and $50 million worth of infrastructure will be put into place. That is something which is badly needed for the southern region and, unfortunately, something which is never highlighted when a member does some work on an initiative to create opportunity for their area.

In this State, there are other issues of concern, such as sand replenishment. As most members would know, every other year in this State $2 million is spent on sand replenishment. It is time we had a close look at how other countries are rectifying their sand replenishment problems. I have no problems whatsoever with examining sand replenishment programs in other countries if I happen to have the opportunity to visit.

It was interesting to note that about 97 per cent of the program was cut out, and I do not mind that, because you would expect that to be the case. However, for the public record, I have a suitcase full of information which I am happy for any of my constituents to look at, as I have indicated to them on numerous occasions. In my newsletter, I have included a lot of information on what I have done in my study trips. Study trips are available to politicians and should not be taken lightly. I have had the opportunity to look at many of the reports of my colleagues on their study trip. As I said in that interview last night, my colleagues in this State, as far as I am concerned, have always achieved good value for money for their taxpayers from those trips. As a member of Parliament, I am not ashamed to have the privilege and opportunity of being able to go overseas.

When someone is overseas, they have many opportunities to talk up their State and take with them a lot of information, letting people know about the opportunities that South Australia is encouraging international people to look at, such as mining development, which the Treasurer and the Minister for Mines and Energy have referred to; information technology expansion; and the setting up of regional headquarters in South Australia for Asia and the Asian Pacific rim to develop new job opportunities for South Australia. I want to put on the public record that, if any of my constituents—and I am sure that other members would support me—ever wants to look at my records to see what I have done while on a trip, I am more than happy to talk to them about that as, I am sure, are other members.

I also refer to the tapestries. For the record, I am delighted to see them in this Chamber. I have said to many of my constituents and visitors who have come in here that they are significant recognition of the efforts of women, particularly those in 1894 and thereabouts: 11 600 signatures and a 400 foot petition represent a fair bit of support. I enjoy seeing those tapestries and look forward to their remaining in this Parliament. I know that some of my colleagues would not agree with me. On the last day of this week's sittings, I wanted to put that on the record. I know that some of my colleagues might wish to debate with me, but women have done a heck of lot of goods things for South Australia in the past; they are doing many good things for South Australia now; and they will do many more good things for South

Australia in the future. I am delighted to see these tapestries here and to recognise the efforts of the female members of Parliament, both Liberal or Labor. Long may those tapestries hang in this Chamber.

Ms WHITE (Taylor): Over recent weeks, I have referred many times to the impact of the massive Federal funding cuts to a range of labour market programs, and again I raised the issue in Question Time today. In response to my question, the Premier glossed over that issue. Regarding South Australia, members would be aware that the Federal Government has cut Skillshare and the New Enterprise Incentive Scheme (NEIS) by 33 per cent; the LEAP, Jobskills and New Work Opportunities programs by 80 per cent; and the Job Train and special intervention programs by 50 per cent.

Today, I want to concentrate on the New Enterprise Incentive Scheme, which is widely acknowledged as being a successful program. Indeed, as the Federal Minister, Amanda Vanstone, was cutting the program, her words were, 'The New Enterprise Incentive Scheme is one of the most successful programs'—so she cut it by one-third. I want to concentrate on some arguments put by the community and by workers in the New Enterprise Incentive Scheme that indicate that this decision was poorly thought out. It will have the net result of increasing unemployment for those people who are targeted by the scheme. It will reduce the avenues through which our small business sector can contribute to employment in this State.

Members may or may not be aware that, according to ABS statistics, last year the NEIS program accounted for 33 per cent of all small business starts-ups in South Australia. It makes a significant contribution to small business and employment growth. That program must proceed at an optimum level to ensure a continuing generation of wealth and jobs through the small business sector. I will concentrate on three arguments put to me recently by some of the executive officers who administer NEIS in South Australia, the first being that NEIS generates additional employment.

To ascertain the realistic cost of NEIS, the cost of income support must be offset against the savings on Job Search allowance or other Social Security payments that are no longer made. Statistics provided to me show that the average length of unemployment is 50.5 weeks and the length of NEIS income support is 52 weeks, so NEIS incurs only a minimal gross cost for the Commonwealth. Further, given the success rate of 84 per cent for that program, in conjunction with the unique secondary employment effects generated by NEIS, the cost of the creation of substantial jobs using NEIS is only $1 432. So, the challenge is there to provide a more cost-effective program.

Another argument put is that the department's post-program monitoring figures indicate that for every 10 NEIS businesses established eight new and additional part and full-time jobs are created. These additional employment figures have not been taken into account when assessing the cost of that program. Figures provided to me by NEIS employers indicate that they believe that the program has saved the Commonwealth some $65 million in unemployment benefits.

Also they state that the Commonwealth Attorney-General, in his first major speech in his portfolio (and I am paraphrasing information given to me in a letter from an officer of the program), pointed to the high community cost of bankruptcies nationally, and encouraged innovative ways of overcoming this problem. Of course, NEIS does just that: it ensures that only those businesses that are properly researched and planned are established, thereby giving considerable cost savings.

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

Mr EVANS (Davenport): I wish to comment on the Federal Liberal Government's opportunity to take some of the administrative cost off small business. Many members would be aware that prior to entering this place I spent some 16 years in a small business involved in the building, plumbing and retail areas. During that time I had forced onto the administration costs of my business the burdens of the WorkCover scheme, the prescribed payment, former taxation in relation to the building industry, the construction industry training levy and the compulsory superannuation scheme.

The Howard Government now has the opportunity to take the administration cost of the compulsory superannuation scheme off small business. I note that one recommendation in the Youth Employment Task Force report is that, as a matter of urgency, the State and Federal Governments convene to review the administrative requirements related to the superannuation levy. This has been identified in the report as being a problem for small business in relation to youth employment. My point is simple: currently under the compulsory superannuation scheme employers are responsible for the payment to the fund and the paperwork associated with the scheme. I see no reason why the employer should be compelled to do the paperwork involved in the scheme. I see no reason why the law cannot be changed federally so that, when employees submit their tax return they submit a piece of paper from their superannuation fund stating that the amount of money required under the compulsory superannuation scheme has been deposited by the employer.

That will do two things: take the administrative cost off small business and make the employee sit down and talk to the people who are managing their superannuation fund. That, to me, is of primary importance. I have a great fear, as a former small business employer, that under the compulsory superannuation scheme the employee was often of the belief that the 3, 4 or 5 per cent levy would cover them for superannuation in 20 years time. A lot of people will realise that that is not the case. So, by taking the responsibility for the payment of the levy from employers and putting it onto employees, you get the employees involved in negotiating their superannuation plan with their superannuation fund. I think that that is of primary importance. I am not saying that the employee's wages should be adjusted back, although the employee's wages were adjusted for the employer to pay to the fund. If the Federal Government wishes to maintain the compulsory nature of the levy, employers still need to pay it to the employees in their wages, and the funds still pass to the employees so that they are not disadvantaged financially.

I am saying that employees should be responsible for the compulsory nature of the payment and its administration and should justify the payment to the Tax Office. What that will do is get the administration cost off employers and get employees talking to their superannuation fund and planning their retirement. Those benefits can easily be achieved while still protecting the compulsory nature of the scheme. If that is the Federal Government's wish, it is something that should be taken on board by the Howard Government. I have written to the Minister for Small Business and the Howard Government suggesting it. Given that it is now in the Youth Employment Task Force report I hope that this Government will put pressure on the Federal Government to simplify the compul-

sory nature of it and reduce administrative fees on small business.

Mr LEWIS (Ridley): Today I rise to express my concern about a decision that has been made inadvertently, I believe, to isolate the entire Mallee railway system from access to the standard gauge railway lines from the junction town of Tailem Bend and Port Adelaide. Whilst we have now standardised the line known as the Overland from Melbourne to Adelaide and the lines from Tailem Bend to Loxton and Murray Bridge to Apamurra (a line which is now designated as appropriate for closure) we have not standardised the line from Tailem Bend to Pinnaroo. Work began on that line and, after a mere 100 or so metres out of the Tailem Bend yard, it ceased. There is now a gap between the standardised 100 or so metres out of the Tailem Bend yard and the broad gauge line extending from there more than 150 kilometres to the State border, and that line is useless.

Yet the grain and freight that can otherwise be carried along that line still remains, and the problems that will be created if it is not standardised by the time grain harvest begins will be enormous. We already have problems in the Pinnaroo, Parilla and Lameroo areas as a result of the rapid expansion of horticultural production in that part of the State based on the approximately 48 000 megalitres of underground water that is being developed there. I have received a letter from the Barley Board signed by the Barley Board's General Manager, Michael Iwaniw, which states:

> I write to express the Australian Barley Board's (ABB) concerns about the future for grain transport on rail in South Australia, given the recent speculation within the Federal Government and media about the future of Australian National. The ABB is a major user of rail transport in South Australia. AN's freight division, SA Freight, moves an average of 485 000 tonnes annually for the ABB, with destinations being both domestic customers and export terminals.
>
> Rail is unique in its ability to move large volumes of grain quickly and efficiently with maximum attention to grain quality requiring only a fraction of the organisation and planning that is necessary to move similar volumes by road transport. Such an ability is crucial to the grain industry in meeting shipping schedules, allowing us to use storage in country locations and at port terminals far more effectively than would otherwise be the case [if we have to rely on roads].
>
> Regardless of what the Brew inquiry determines in relation to AN as an organisation, it should be recognised that grain freight has been a profitable component of AN's business and should continue in future to be a viable rail transport task.

He goes on to point to the increasing significance of Port Adelaide in the overall structure of the ports following the deep sea ports report, and so on. I put particular emphasis on the necessity for us to fix that connection and standardise the railway line as soon as possible from Tailem Bend to Pinnaroo.

Further, in relation to irrigated horticultural crops, we now find, as I suspected and have been saying for years, that when the time comes to move those crops as they are harvested, damage will occur if unsealed roads become wet. We cannot shift thousands of tonnes of freight across unsealed roads in wet weather and expect those roads to survive. We need the revenue that we can get from the proper exploitation of our underground water resources by imposing a fee to ensure that essential infrastructure related to their exploitation is put in place not only for the benefit of the irrigators but so that we do not inconvenience and cause friction and disadvantage to people living in the same localities.

Ms STEVENS (Elizabeth): The embarrassing admission today by the Minister for Health that the information that he provided yesterday about the signing of the obstetric agreement by doctors in Mount Gambier was incorrect is at last perhaps putting an end to this saga of the to-ing and fro-ing of misinformation, facts and statements made in this House that clearly do not match what people in Mount Gambier are saying. It is quite astonishing to witness the propensity of members to go beyond the facts. They cannot resist going one or two steps further outside the facts as they are known. There is no need to do that on such an issue as this. We all know that indemnity insurance is a complicated issue and is not easy to solve. There are many facets to it: the indemnity insurance and the high levels of payments; the fee for service payments, which is a Federal issue; adequate provision of medical staff in country areas; and the need for the Government to ensure that such areas are properly served by health services. We know that these are complicated issues and that they will be difficult to solve. We need clear straight answers, not dancing around the issues, scoring points and trying to get out of the responsibilities that Ministers and the Premier of this State have towards its people.

Let us consider what has happened during the months of this dispute. First, there was an inordinate gap between the time when the Minister said that the dispute would be resolved and when it actually started being resolved. The Health Commission was very slow in beginning any negotiations. The Minister went to Mount Gambier where he met people and said that he was not really interested in hearing criticisms. The criticisms were like water off a duck's back to him. What a way to set up a relationship and rapport when trying to solve a difficult issue! We had threats and counter-threats, culminating in the Medical Board's being sent to Mount Gambier and threatening deregistration of those doctors who would not sign up. That ended with the doctors saying, 'If you want to do that, we will withdraw services in nine months when you cannot do anything about us.'

In the last few days we have had the Premier weighing in and threatening the *Border Watch*. If we are to believe that paper and others in the South-East, there has been a fair amount of concern about you, Mr Deputy Speaker, as the local member. In all of this, who is suffering? It is not the Minister, the Premier or the Health Commission: it is the mothers and families in the South-East region who are bearing the brunt of all this. What message does this give to any general practitioner or specialist who wants to practise in that area? It is that it is not a place to go. The Minister said that there had been 11 births in Mount Gambier since 1 July. Eight of those 11 were delivered by general practitioners.

The negotiation was very important. These people are critical to the service. It needs trust and the will to reach a solution in a positive way. It does not need the carry-on that we have seen by the Minister for Health, the Premier and the member for Gordon. We need a solution. The Minister needs to go there and hear what people have to say about obstetrics and health services and solve the problem.

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

Mr BUCKBY (Light): I wish to draw a little more attention to the announcement by the Minister for Primary Industries of new livestock sale yards at Dublin in my electorate. Livestock selling has continued for 80 years at the Gepps Cross site. As was highlighted last year, for occupational, health and safety reasons the yards have basically outlived their usefulness and it was time for the Government

to replace or refurbish them or for a private investor to come in and consider resiting the Gepps Cross sale yards.

I am pleased that Livestock Markets Limited, of which Mr Ian O'Loan and Mr Lance Hatcher are directors, last year took over a lease of the Gepps Cross sale yards for two years with a view to building new sale yard facilities in the Adelaide Plains area. For the Gepps Cross yards to continue would have necessitated the expenditure of $2.5 million to $3 million by the Government or a private investor. Even so, it would still have been battling to bring those yards up to an acceptable standard, especially in terms of animal welfare and occupational, health and safety conditions. In addition, there are neighbouring problems of urban development and the Adelaide produce market is next door.

The new yards will be located at Dublin on a 200-hectare site on Carslake Road. Together with the Minister for Primary Industries and the Federal member for Wakefield, I looked at the site on Saturday morning. It appears to be an excellent choice of site in terms of drainage and access to Port Wakefield Road and Highway 1. The designing of the new facility has commenced. The designer is a Mr Bill Vowles of Kattle Gear in Bendigo. He has started work on the design plans and they are expected to be completed by December.

Mr Vowles has designed yards in two other locations in Victoria and is very experienced in that area. His designs are particularly good because they take into account animal behaviour and also ensure the safety and well being of animals as they move through those yards so that the best returns are provided to primary producers. The yards are designed to ensure that the potential for bruising of animals as they move through those yards is significantly reduced.

As I said, that design work is expected to be finished in December. The building of the yards will take place in 1997, and it is expected that trial sales will commence in December 1997, with full-blown sales operating in January 1998 when the complex is completed. The investment is some $6.3 million. In excess of 400 livestock producers have indicated an expression of interest to invest in the private company that will operate these yards. Figures that have been produced show that from day one the yards will operate on a profitable basis. The location of the yards at Dublin is extremely good for the local community. Of course, Dublin was by-passed by Highway One only a couple of years ago, but this will bring additional transport traffic as well as buyers into the local area. Naturally, when that happens—

The Hon. R.G. Kerin interjecting:

Mr BUCKBY: As the Minister says, the Dublin pub and stores in Dublin and Mallala could benefit from this. I commend the Minister on his work and Mr Ian O'Loan and Mr Lance Hatcher for locating the yards in this area. I look forward to their success.

STATUTES AMENDMENT (ABOLITION OF TRIBUNALS) BILL

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

The conference did not reach a suitable resolution for the Government to the extent that the Government has been placing a number of its tribunals under the auspices of the District Court and the administrative appeals section of that court. More than 20 areas of tribunal jurisdiction have been transferred to the District Court. The Government's attempt to have the Bill place another five jurisdictions under the District Court was not successful. Two areas where the conference could not resolve whether jurisdiction should be placed with the District Court concerned pastoral lands and soil conservation. However, there were parts of the Bill that did survive, and those areas of jurisdiction will be moved to the District Court, as is appropriate.

In relation to the areas of soil conservation and pastoral lands, the existing provisions will remain. The Government is committed to streamlining the process to provide a process of appeal and adjudication under the auspices of the District Court where the vast majority of these areas have been placed and, indeed, are being acted upon expeditiously. We were disappointed that we could not reach agreement in the conference on these two further areas; however, the conference did resolve that, in the absence of agreement on pastoral lands and soil conservation, the other areas would shift to the District Court.

Mr ATKINSON: The Opposition's concern in opposing the transfer of two of these tribunals to the District Court was about the future of the Environment, Resources and Development Court. The Opposition felt that the Government may have maligned intentions towards the ERD Court. Our fear was that the Government may wish to strip it of its jurisdiction before collapsing it into the District Court. The Attorney-General promises us that that is not his intention but that he does not want to give the ERD Court any more jurisdiction. That was the basis of his opposition to our proposal that these two tribunals be transferred to the ERD Court instead of the District Court. Members should bear in mind that the Opposition agreed to a vast majority of these tribunals being transferred to the District Court as the Government wished; however, to allay our concerns about the future of the ERD Court and because of the affinity of these tribunals with the jurisdiction that the ERD Court exercises, we proposed that they become part of the ERD Court's jurisdiction.

The Government stoutly resisted this small amendment and insisted that these tribunals remain on their own. We think that the Government insisted on this unnecessarily, but it has done so. Our preference was that the two tribunals go to the ERD Court and that we test how they fare as part of the ERD Court's jurisdiction. If, after a period, it became obvious that the two judges of the ERD Court could not deal adequately with the increased jurisdiction in that there were delays of some kind, the Government could have come back to Parliament and the Opposition would have gladly transferred the tribunals to the District Court. The Government would not do that. It has kept the two tribunals independent, and we think that is unnecessary.

Motion carried.

INDUSTRIAL AFFAIRS MINISTER

The Hon. G.A. INGERSON (Minister for Industrial Affairs): I seek leave to make a personal explanation.

Leave granted.

The Hon. G.A. INGERSON: Today, I announce to the Parliament that earlier this week the Government, on my behalf as Minister for Industrial Affairs, made a settlement

to Moody Rossi & Co. in relation to a statement released by me as Minister for Industrial Affairs in respect of the Workers Rehabilitation and Compensation Act. Settlement was reached before the matter went to trial. No trial has taken place and no findings have been made by the court. The judgment has been entered into only because the offers were filed in the court registry. The Minister's costs, in this case me, have been indemnified on the recommendation of the Crown Solicitor, a recommendation accepted by the Attorney-General.

Consequently, there is no direct taxpayer funding involved in the settlement. It is covered by an indemnity policy with SAICORP, which covers not only Ministers but all Government employees if they are carrying out their duties in relation to the Government. The recommendation by the Crown Solicitor is in accordance with Cabinet guidelines fixed by the previous Labor Government and endorsed by this Government. The settlement has been made to avoid any further expense, even though defences to the claim were available. The law of defamation regarding members of Parliament is very uncertain, especially when no-one is actually named, and litigation in respect of these legal issues was likely to be complicated. There has been no apology, and no apology has been agreed to. The cost of the settlement of $30 000 (plus costs) is a fraction of the savings to taxpayers resulting from Government WorkCover reforms. Already, taxpayers are saving $40 million each year in levies because of these reforms. Savings on the sex claims loophole itself are about $750 000.

I think it is important that members understand how this case started and that I read into *Hansard* the press release, so that members can see clearly that no company has been named but that a company has felt aggrieved. Consequently, the Government through its indemnity policy has agreed to make a payment. I think it important to put this on the record, because at the time this matter was discussed in Parliament a long list of sex claims had been made under workers' compensation in this State and several advertisements had been placed in the newspaper by companies to help claimants to understand their ability to claim in this area. The press release states:

'Injured workers' sex life top-up claims are costing the South Australian WorkCover scheme an average of $13 400 per claim', the Minister said today. Latest WorkCover figures show that in the past two years the scheme paid out $751 692 for impairment of sexual capacity or sexual pleasure. Under existing WorkCover laws, in addition to receiving pensions until retirement, an injured worker can also gain a lump sum payment for 'non-economic loss' such as pain and suffering. This device has now been used to make sex life claims. The Minister said that this is one of the most recent legal abuses of the scheme. This has particularly occurred since a Supreme Court decision in July 1994 which opened the door to this abuse. Since then, workers whose claims have been settled for months and years have retrospectively reopened their claims to top up their lump sums with these sex life claims.

The next couple of paragraphs contain the comments that caused the company to be aggrieved. I think it important that the Parliament note these comments, as follows:

Some workers' lawyers have encouraged and even advertised this abuse—resulting in hundreds of claims now being made as a matter of course. This legal abuse of the scheme is seeing some workers with injuries ranging from back to shoulder and leg injuries also claiming a top-up on their lump sum for impairment of sexual capacity. Amounts being awarded for sexual impairment in the past two years have been as high as $62 000.

The press release then goes on to cite some examples, and then states:

The sex life top-up claims are a clear abuse of workers' compensation schemes, just like the fluffy penis stress case was in 1990. They must be eliminated.

This statement was made during the debate on the Bill. Shortly after that, this House and the Legislative Council recognised that the comments made by me as Minister should be accepted. As a consequence of my putting amendments before this House, the Parliament accepted that the changes on which I commented needed to occur. Those changes have created a saving for employers in this State, and the workers' compensation scheme has saved in excess of $710 000 a year, year in and year out. It is unfortunate that this company felt aggrieved, but the Government believed that settlement should take place. Consequently, the company has been paid out on my behalf. As I have said, it is important that everyone in South Australia recognises that this Parliament changed the law as a result of these issues being raised.

STATUTES AMENDMENT (SENTENCING OF YOUNG OFFENDERS) 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.

The *Young Offenders Act, 1993* and the *Youth Court Act, 1993* came into operation on the 1st January, 1994. These Acts (together with the *Children's Protection Act, 1993*) replaced the *Children's Protection and Young Offenders Act, 1979*. The new Acts introduced substantial changes to both the philosophy and structure of juvenile justice in South Australia. When first introduced the *Children's Protection and Young Offenders Act, 1979* was regarded as highly innovative. However, by the late 1980s, there was a growing perception that it had failed to keep pace with the changing needs and circumstances of young offenders and with community expectations. The pressure for change led to the establishment of a Select Committee in August, 1991 to inquire into all aspects of the juvenile justice system. The Select Committee sat for over 12 months and took evidence from a wide range of government and non-government organisations and individuals. The Select Committee's interim report, which was published in November, 1992 recommended a new approach to juvenile justice in South Australia. The Committee's recommendations formed the basis of the legislation which put the new system in place. The new system is a three tiered system. There is a two tiered system of pre-court diversion—police cautioning and family conferencing. The third tier is the Youth Court presided over by a Senior Judge of District Court status.

The operation of the new system is being evaluated by the Juvenile Justice Advisory Committee. The Committee's evaluation will be completed in the near future but in the meantime experience has shown that some amendments are needed to improve the operation of the legislation.

I do not wish to pre-empt the Juvenile Justice Advisory Committee's report but I understand that the Committee's report will be to the effect that the new system is working relatively well. Police officers are strongly supportive of formal and informal cautioning and there is general support for police cautioning. Family conferencing appears to be successful and there is a perception that delays have been reduced in the Youth Court and that long term recidivists are being held more accountable for their behaviour. Some problems have been identified and strategies are being devised to address them.

The bulk of the amendments in this bill relate to the sentencing of young offenders but other matters are included as well, including some pure drafting amendments.

Children's Protection Act, 1993

The amendment to the *Children's Protection Act* does not relate to young offenders but the opportunity has been taken to remedy a problem with the Act.

Section 21(3) of the *Children's Protection Act, 1993* requires applications for extensions of investigation and assessment orders to be heard by the Senior Judge. These applications can be brought at short notice when the Senior Judge may be on circuit, on leave, ill or out of the State. The amendment provides that if the Senior Judge is not reasonably available to exercise a power vested in the Senior Judge under the Act, the most senior of the Judges of the Court who is available may exercise the power.

Criminal Law (Sentencing) Act, 1988

These amendments change the way the *Criminal Law (Sentencing) Act* applies to young offenders. The repealed *Children's Protection and Young Offenders Act* contained a code for the sentencing of young offenders. The new *Young Offenders Act* does not. The bulk of the provisions for the sentencing of young offenders are to be found in the *Criminal Law (Sentencing) Act*. The provisions of the *Criminal Law (Sentencing) Act* which apply to young offenders are those which are specifically stated to apply. This has proved to be confusing and sections which should apply have been overlooked. These amendments apply the whole of the *Criminal Law (Sentencing) Act* to the sentencing of young offenders, except where a provision is expressed not to apply. The limitations on a court's power to sentence young offenders in Part 3, Division 3 of the *Young Offenders Act* continue to apply to the sentencing of young offenders.

The amendments to the *Criminal Law (Sentencing) Act* do not change policy. Members attention is, however, drawn to new section 61AA. Section 23(5) of the *Young Offenders Act* provides that a court may sentence a youth to detention for non-payment of a fine or other monetary sum. The court's power to sentence to detention is subject to the qualifications that the court may only order detention after the default has been established in proceedings before the court of which the child has been given notice and the detention ordered should be on a periodic non-residential basis unless the child requests residential detention or there are in the court's opinion other special reasons for imposing residential detention. It is not clear what was intended by periodic non-residential detention and it has been taken to mean community service. New section 61AA makes it clear that young offenders who default in the payment of a pecuniary sum can be ordered to perform community service.

New section 61AA goes on to provide that where a youth has defaulted in performing community service under an undertaking under section 67 the court may, instead of ordering community service, sentence the youth to detention. Section 67 is the section under which offenders may apply to work off pecuniary sums by undertaking community service if the payment of the pecuniary sum would cause severe hardship.

Where a youth performs community service under an undertaking under section 67 the amount outstanding is reduced by $100 for each eight hours of community service completed by the youth. However, where the court orders community service under new section 61AA the amount outstanding is reduced by only $50 for each eight hours of community service completed by the youth. This is the rate which also applies if the youth defaults on an undertaking under section 67. These different rates are consistent with the provisions which apply to adult offenders. An adult offender who defaults in the payment of a pecuniary sum and performs community under section 67 works the amount off at $100 for each eight hours work completed. However, if the adult offender does not pay, and does not work the amount off under section 67, he or she is imprisoned for a period of one day of detention for each $50.

Family and Community Services Act, 1972

Section 96 of the repealed *Children's Protection and Young Offenders Act, 1979* provided that the Minister could delegate his or her powers, duties, responsibilities and functions to the Director-General and that the Director-General could delegate his or her powers, duties, responsibilities and functions to an officer of the Department. No such power of delegation is contained in the *Young Offenders Act* and this is causing difficulties in the administration of the Act. Recently in the case of *Campbell* an application to transfer a youth to a prison had been prepared and signed by the Manager of the Cavan Centre. The Court found the Manager did not have a valid delegation from the Director-General and indicated that it was by no means satisfied that the power was in any event delegable. There are many provisions in the *Criminal Law (Sentencing) Act* and the *Young Offenders Act* where it is not practicable or necessary for the Minister or Director-General personally to perform a function or exercise a power and the insertion of a power of delegation by both the Minister and the Chief Executive Officer in the Act similar to section 96 of the *Children's Protection and Young Offenders Act* will assist in the administration of the Act.

Young Offenders Act, 1993

Section 3(2) of the *Young Offenders Act* provides that the powers conferred by the Act are to be directed to ensuring the correction and rehabilitation of the young offender, while having proper regard to three factors: first, the need to make the young offender aware of his or her obligations under the law; second, the need to protect the community and individual members of it against the violent and wrongful acts of the young offender; and third, the need to impose sanctions which are sufficiently severe to provide an appropriate level of deterrence.

The Full Supreme Court in March 1995 in *Schultz v Sparks* held that the notion of deterrence referred to in section 3(2) must be confined to the deterrent effect of any punishment on the offender. It does not encompass the deterrence of other persons. The Court held that the sentencing process must be directed to the object, set out in section 3(1) of the Act, of securing for the young offender the care, correction and guidance necessary for his or her development into a responsible and useful member of the community and the proper realisation of his or her potential.

This decision appears at odds with the intention of Parliament. It seems from the second reading speeches and debate on the *Young Offenders Bill* that it was intended that the notion of general deterrence should apply in the sentencing of young offenders and this was supported by Members on both sides of the Parliament. Section 3(2) is to be amended to better reflect the intention of Parliament and to restore, in part, what was thought to be the position before the decision in *Schultz v Sparks*. The amendment applies the notion of general deterrence to the sentencing of young offenders as adults and in other cases where the court thinks it appropriate.

The Government is of the view that the courts, when sentencing young offenders who have been dealt with as adults, must have regard to the effect of the sentence on the young offender and on other persons. This was the position under the *Children's Protection and Young Offenders Act* from 1990 until the repeal of the Act in 1993. The Government is, however, of the view that general deterrence should not apply to all youths who are sentenced as young offenders. The majority of young offenders do not reoffend. General deterrence would be most likely to affect first-time or relatively light offenders who commit a serious offence but who are unlikely to reoffend. Those serious offenders for whom general deterrence is appropriate can be tried and sentenced as adults where general deterrence is to be taken into account in sentencing. However, there may be circumstances where it is appropriate for a court when sentencing a youth as a young offender for a court to take general deterrence into account when fixing the sentence.

General deterrence is not a factor to be taken into account by police when cautioning an offender or by a family conference. The essentially consensual undertakings entered into by young offenders with the police and family conference respectively do not leave room for any notion of general deterrence.

Honourable Members will be aware that the provision of the Bill dealing with general deterrence was not passed in another place and accordingly I give notice that I will be moving an amendment to restore the deleted provision.

The *Young Offenders Act, 1993* provides that the Youth Court deals with a charge in the same way as the Magistrates Court deals with a charge of a summary offence, the procedure to be followed is the same as the procedure in the Magistrates Court and the Court's sentencing powers, where an offence is a summary offence, are the same as the Magistrates Court.

It is not clear that the Youth Court has the powers of the Magistrates Court to, for example, award costs or to stay proceedings which are an abuse of process. Amendments to sections 17, 18 and 19 make it clear that the Youth Court has all the powers of the Magistrates Court when dealing with a charge and conducting a preliminary examination.

Section 26 provides that the court may not require a youth to enter into a bond but it may impose on the youth obligations of the kind that might otherwise have been imposed under a bond. Section 26(3) gives examples of the obligations which a court may impose. Section 26(3) is amended to make it clear that an obligation can be imposed to perform work other than in a recognised community service program. A young offender may, for example, be required to perform work for a victim of the crime.

Problems arise when young offenders who are serving a period of detention are sentenced to a term of imprisonment for offences committed after turning 18 years. The order of the Youth Court is

that the youth serve the period of detention in a Training Centre and the order of the adult court is that the offender serve the sentence of imprisonment in a prison. Section 36 is amended to provide that in these circumstances the offender must be transferred to prison unless the sentencing court directs otherwise.

Section 23(2)(b) provides that the Youth Court can sentence a youth to home detention for a period not exceeding six months, or for periods not exceeding six months in aggregate over one year or less. There are no provisions in the Act for the Court to impose conditions on home detention, to vary conditions or to provide a system of monitoring home detention. To make home detention work these matters need to be spelt out in the Act and a new Division, Division 2A of Part 5 contains these matters. The matters contained in the new Division are similar to the home detention provisions in the *Correctional Services Act, 1982*. The court is given power to revoke a home detention order if the court is satisfied that a youth has breached a condition of the home detention order or there is no suitable residence available.

Home detention is also relevant to conditional release by the Training Centre Review Board. Under section 41(2) the Training Centre Review Board can, at any time after a youth has completed at least two-thirds of his or her period of detention, order the release of the youth subject to conditions. The Board may wish to release the youth on home detention. The Act does not provide for a system of monitoring of home detention ordered by the Training Centre Review Board. It will facilitate the release of youths on home detention if a system of monitoring is spelt out in the Act and this is done by amendments to section 41.

Section 38 of the Act is amended in three ways. Firstly, the Minister for Police is substituted for the Minister for Emergency Services as the Minister who is who is to appoint two police officers to the Training Centre Review Board. This recognises the change in Ministerial responsibilities which have occurred. Secondly, the membership of the Training Centre Review Board is expanded to include two Aboriginal persons with appropriate skills. Thirdly,the section is amended to provide members of the Training Centre Review Board with immunity from liability for acts or omissions done in good faith and in the exercise or discharge or purported discharge of the member's or the Board's powers or functions. This is the usual immunity provision for members of boards and such like.

Section 40 provides that the Director-General may grant a youth detained in a training centre leave of absence from the training centre to, *inter alia*, attend educational or training courses. It is made clear that the Director-General can grant youths leave of absence to attend work camps, work programs and similar. Work programs in National Parks or Operation Flinders do not strictly fall within the description educational or training courses.

Under the repealed *Children's Protection and Young Offenders Act, 1979* a court could not order a period of detention of less than two months. The court can now order sentences of detention of less than two months and is ordering sentences of detention ranging from days to weeks. It is difficult for the Training Centre Review Board to give consideration to conditional release where sentences of detention are less than two months.

Where the Court orders a youth to serve a short period of detention it is unlikely that the Court would contemplate the youth being granted conditional release. The *Criminal Law (Sentencing) Act, 1988* provides that prisoners serving sentences of imprisonment of less than one year are not eligible for parole. A similar type provision that youths serving short periods of detention are not eligible for conditional release has been included in section 41. It is provided that a youth serving a sentence of detention of less than two months is not eligible for conditional release.

Where a youth has breached a condition of his or her release he or she may be arrested and held in detention until the Board can deal with the matter. There is no capacity for the Board to backdate the commencement of the further period of detention to the time when the youth has been returned to detention. New section 41(14) allows the Board to take into account any period of detention spent in custody when making its further order.

Section 41 is also amended to allow the Training Centre Review Board to deal with breaches of conditions by a youth on conditional release from detention, which are not of serious concern to it, by other than returning the youth to detention. The Parole Board can deal with minor breaches of parole conditions by requiring a person to serve a specified number of hours of community service. The Training Centre Review Board is given, in new subsection (15), a similar power in relation to youths.

Division 5 Part 6 of the Act deals with community service. The heading of the part has been expanded to include other work related orders and section 49(1) has been amended to provide that no order, direction or requirement can be made by which a youth will be required to perform community service or participate in a particular work project, program or camp unless there is, or will be within a reasonable time, a suitable placement for the youth in a community service program, or the work project, program or camp.

New section 49A sets out the parameters within which community service or other work is to be performed. The youth cannot be required to work at a time which would disrupt his or her education, cause unreasonable disruption to his or her commitments to dependants or offend against his or her religious beliefs. And there are limits on the hours the youth can be required to work. These parameters are similar to those which apply to community service undertaken by adults.

Section 56 requires the Juvenile Justice Advisory Committee to report to the Attorney-General, not later than 30 September in each year, on the administration and operation of the Act during the previous financial year. This means that the Committee has only three months from the close of data on 30 June to finalise its report. Experience with producing the 1995 report indicates that this time frame does not allow appropriate data quality checking and evaluation. A more realistic date for the Committee to report is not later than 31 December in each year.

There is no provision in the Act, as there is under the *Correctional Services Act, 1982* in relation to adult prisoners, that employees of the Department for Family and Community Services may, without warrant, apprehend a youth whom the employee suspects on reasonable grounds of having escaped from detention or being otherwise unlawfully at large. It is useful for Departmental officers to be able to apprehend youths who escape from detention, particularly where the officers observe the escape. Departmental officers had this power under section 75 of the *Community Welfare Act, 1972* which has been repealed. The new provision provides, as does section 52(2) of the *Correctional Services Act*, that an employee of the Department who has apprehended a youth under the provision must return the youth forthwith to a place of detention.

Youth Court Act, 1993

Section 7(c) of the Act gives the Youth Court jurisdiction to make summary protection orders under the *Summary Procedure Act, 1921*. The section is amended to clarify that the Youth Court also has power to make domestic violence restraining orders under the *Domestic Violence Act, 1994*. At the same time the reference to a summary protection order is changed to a restraining order, as these orders are now called.

A new section 10(4) is inserted. Section 11(2) provides that the Chief Judge is responsible for the administration of the Court. This leaves the effect of certain provisions of the *Magistrates Act, 1983* unclear. Part 5 of the *Magistrates Act* provides for leave for magistrates and for the Chief Magistrate to approve leave and direct magistrates to take leave. Section 8 of the Act provides that a magistrate is subject to direction by the Chief Magistrate as to the duties to be performed and the times and places at which those duties are to be performed. When a magistrate has been designated as a member of the Youth Court's principal judiciary, it is not appropriate for the Chief Magistrate to be responsible for deciding when the magistrate should take leave or to be giving other directions to the magistrate. New section 10(4) makes it clear that the Senior Judge has these responsibilities.

Section 32(2) of the Act provides that rules of court may be made by the Judges and Magistrates of the Court. The Judges and Magistrates of the Court comprise both the principal and ancillary members of the Court. It is appropriate that the rules of court should be made by the Judges and Magistrates who are specially appointed as full time members of the Court and section 32 is amended accordingly.

PART 1 PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

Clause 3: Interpretation

The clauses in Part 1 are formal provisions.

PART 2 AMENDMENT OF CHILDREN'S PROTECTION ACT 1993

Clause 4: Amendment of s. 6—Interpretation

The definition of Senior Judge is amended so that if the Senior Judge is not available to exercise powers vested in the Senior Judge under the *Children's Protection Act 1993*, the powers may be exercised by the most senior of the Judges who is available.

PART 3 AMENDMENT OF CRIMINAL LAW (SENTENCING) ACT 1988

Clause 5: Amendment of s. 3—Interpretation

The Bill introduces a system for payment of a pecuniary penalty by a youth to be enforced by an order for community service (see new section 61AA). The definition of prescribed unit is amended to impose a rate at which the penalty is worked off in community service for that purpose, namely, $50 per 8 hours community service. The rate of $100 per 8 hours community service is retained (and applied to both adults and youths) where an order for community service is made because payment of the pecuniary sum would cause severe hardship. The amendment also provides for the rate at which detention or home detention may be imposed for default by a youth in payment of a pecuniary penalty (where a previous community service order has been contravened), namely, $50 per day of detention. This is the same rate as that applying to adults in relation to imprisonment.

The definition of probative court is amended to make it clear that where an appellate court imposes a bond the probative court for the purposes of the Act is not the appellate court but the original court that imposed the sentence. The probative court is the court that deals with variations of the bond or breach of the bond.

Clause 6: Insertion of s. 3A—Application of Act to youths

This clause inserts a new section reversing the current approach to the interaction between the *Criminal Law (Sentencing) Act 1988* and the *Young Offenders Act 1993*.

The current approach is that the *Criminal Law (Sentencing) Act* contains a number of specific provisions that convert expressions in certain sections or Parts to expressions suitable to youths. This can lead to confusion as to the application of other sections in relation to youths.

New section 3A instead states that the *Criminal Law (Sentencing) Act* applies in relation to sentencing of a youth and the enforcement of a sentence against a youth except where its application is specifically excluded. For that purpose, the section converts (in the one place) expressions used throughout the Act to expressions suitable to youths. If there are any inconsistencies between the *Criminal Law (Sentencing) Act* and the *Young Offenders Act* or the *Youth Court Act*, the new section states that those latter Acts prevail.

The Bill contains provisions excluding youths from the application of specific provisions of the *Criminal Law (Sentencing) Act* as follows:

- the power to impose cumulative sentences under section 31 is not to apply in relation to a youth unless the youth is sentenced as an adult;
- the fixing of non-parole periods under Part 3 Division 2 is not to apply in relation to a youth unless the youth is sentenced as an adult;
- the detailed provisions regulating the performance of community service in section 47 are not to apply to the performance of community service by a youth (special provisions are contained in the amendments to the *Young Offenders Act*);
- the power to imprison a person in default of payment under section 61 is not to apply to a youth (a special provision about community service or detention in default of payment by a youth is to be inserted: section 61AA).

As a consequence of the above approach the Bill removes the current provisions scattered throughout the Act that apply parts of the Act to youths subject to specified modifications (namely, sections 44A, 59AA, 61(6), 67(18), 69(7), 71(8) and 71A(5)).

Clause 7: Amendment of s. 11—Imprisonment not to be imposed in certain circumstances

This amendment is of a housekeeping nature and makes it clear that the criteria of which a court must be satisfied before imposing a sentence of imprisonment do not apply to the imposition of a sentence of imprisonment for the enforcement of another sentence.

Clause 8: Amendment of s. 19—Limitations on sentencing powers of Magistrates Court

This clause converts references to divisional penalties according to current government policy.

Clause 9: Amendment of s. 19A—Restraining orders may be issued on finding of guilt or sentencing

This clause is of a housekeeping nature and updates the references to restraining orders to ensure that domestic violence restraining orders are included.

Clause 10: Amendment of s. 23—Offenders incapable of controlling sexual instincts

Clause 11: Amendment of s. 27—Service on guardian

These clauses make the language of the Act consistent with the language of the *Young Offenders Act* and the *Youth Court Act* by referring to "youths" rather than "children".

Clause 12: Amendment of s. 31—Cumulative sentences

Clause 13: Insertion of s. 31A—Application of Division to youths

While Part 3 (Imprisonment) is generally to apply to youths as if references to imprisonment were references to detention—

- the amendment to section 31 provides that the power to impose cumulative sentences does not apply in relation to a youth unless the youth is sentenced as an adult; and
- the amendment to section 31A provides that the fixing of non-parole periods under Part 3 Division 2 does not apply in relation to a youth unless the youth is sentenced as an adult.

Clause 14: Amendment of s. 34—Maximum fine where no other maximum provided

This clause converts references to divisional penalties according to current government policy.

Clause 15: Amendment of heading

This clause strikes out an obsolete reference to undertakings.

Clause 16: Repeal of s. 44A

Section 44A currently applies Part 5 of the Act (Bonds) to youths subject to specified modifications and is consequently repealed.

Clause 17: Amendment of s. 45—Notification of court if suitable community service placement is not available

The amendments contained in this clause replace references to a court sentencing a defendant to community service with references to a court making an order for community service. This reflects a later amendment providing that a court may order community service as a means of enforcement of an order for payment of a pecuniary sum made against a youth.

Clause 18: Amendment of s. 47—Special provisions relating to community service

While Part 6 (Community Service and Supervision) is generally to apply to youths, the insertion of section 47(2) excludes youths from the application of the detailed rules for community service relating to the length of service, reporting requirements, meal breaks etc. Special rules for youths are inserted in the *Young Offenders Act*. The amendment in paragraph *(a)* deletes the maximum number of hours (*i.e.* 24 hours) that may be required of an offender in each week. It suits some unemployed offenders to work off their community service at a more rapid rate, and the Commonwealth job search allowance rules no longer pose a problem in this regard.

The other amendments are of a technical drafting nature.

Clause 19: Amendment of s. 49—CEO must assign a probation officer or community service officer

This amendment removes reference to the order for community service being made by a court in recognition of the fact that such orders may be made not only by a court but also by the Parole Board and the Training Centre Review Board.

Clause 20: Amendment of s. 51—Power of Minister in relation to default in performance of community service

This amendment is consequential to the application of Part 6 (Community Service and Supervision) to youths. If a person fails to comply with a requirement to perform community service, section 51 allows the Minister to impose a further community service requirement of up to 24 hours even if that increase would take the total requirement beyond the normal limit. Subsection (3) expressly refers to the adult limit of 320 hours. This is removed so that the reference to the normal limit will also include the limit that applies to youths of 500 hours.

Clause 21: Repeal of s. 59AA

Section 59AA currently applies Part 9 Division 2 of the Act (Enforcement of Bonds) to youths subject to specified modifications and is consequently repealed.

Clause 22: Amendment of s. 61—Imprisonment in default of payment

Clause 23: Insertion of s. 61AA—Community service in default of payment by a youth

Clause 24: Amendment of s. 66—Ex-parte orders

While Part 9 of the Act (Enforcement of Sentence) is to apply to youths, the amendment to section 61 provides that the power to imprison a person in default of payment does not to apply to a youth.

New section 61AA is a special provision allowing an order for community service to be made in default of payment of a pecuniary penalty by a youth. The ability to sentence a youth to detention or home detention will apply only if community service has previously been allowed on the basis of hardship and the youth has failed to comply with the undertaking.

The amendment to section 66 allows for an order for community service made for the purposes of enforcement to be made without hearing the youth in default.

Clause 25: Amendment of s. 67—Pecuniary sum may be worked off by community service

Clause 26: Amendment of s. 69—Amount in default is reduced by imprisonment served

Clause 27: Amendment of s. 71—Community service orders may be enforced by imprisonment

Clause 28: Amendment of s. 71A—Other non-pecuniary orders may be enforced by imprisonment

The amendment to section 67(5) removes the restriction relating to there having to be a placement before community service can be allowed—this restriction is no longer to apply in respect of adults but will, by virtue of a provision in the *Young Offenders Act*, continue to apply in relation to youths.

Section 67(18), 69(7) and 71(8) and 71A(5) apply the respective sections to youths subject to specified modifications and those subsections are consequently removed.

PART 4 AMENDMENT OF FAMILY AND COMMUNITY SERVICES ACT 1972

Clause 29: Amendment of s. 8—Delegation

These amendments will allow the Minister and the Chief Executive to delegate functions and powers under other Acts (*eg* the *Young Offenders Act 1993*).

PART 5 AMENDMENT OF THE YOUNG OFFENDERS ACT 1993

Clause 30: Amendment of s. 3—Objects and statutory policies

This amendment imposes an obligation on a court in sentencing youths in certain circumstances to have proper regard to the policy that the sanctions imposed against illegal conduct must be sufficiently severe to provide an appropriate level of deterrence for not only the youth in question but other youths. A court must take general deterrence into account when sentencing a youth as an adult, and may take general deterrence into account in such other cases as the court thinks appropriate.

Clause 31: Amendment of s. 4—Interpretation

The amendment striking out the definition of Director-General and inserting a definition of Chief Executive is of a housekeeping nature and reflects current public sector terminology.

The insertion of a definition of a home detention officer is consequential to a later amendment providing for monitoring of home detention.

Clause 32: Amendment of s. 13—Limitation on publicity

This clause converts references to divisional penalties according to current government policy.

Clause 33: Amendment of s. 15—How youth is to be dealt with if not granted bail

This amendment is of a housekeeping nature and reflects current public sector terminology.

Clause 34: Amendment of s. 17—Proceedings on the charge

Clause 35: Amendment of s. 18—Procedure on trial of offences

Clause 36: Amendment of s. 19—Committal for trial

These amendments make it clear that the Youth Court has all the powers of the Magistrates Court when dealing with a charge and conducting a preliminary examination.

Clause 37: Amendment of s. 23—Limitation on power to impose custodial sentence

This amendment is consequential to a later amendment providing for home detention and requires the Court to be satisfied that the relevant accommodation, and the means to monitor the order, are available before making an order for home detention, and also that the accommodation is suitable for the youth and will provide him or her with the proper degree of care.

Clause 38: Amendment of s. 24—Limitation on power to impose fine

This clause converts references to divisional penalties according to current government policy.

Clause 39: Amendment of s. 25—Limitation on power to require community service

The amendment limits the Court's power to require community service to requiring it over a maximum period of 18 months. This is equivalent to the limitation that applies in the adult system.

Clause 40: Amendment of s. 26—Limitation on Court's power to require bond

The amendment to subsection (3) makes it clear that the obligations that may be imposed on a youth include an obligation to carry out specified work for the victim or for any other person or body.

The amendment to subsection (4) converts references to divisional penalties according to current government policy.

Clause 41: Amendment of s. 28—Power to disqualify from holding driver's licence

This amendment is of a housekeeping nature and converts a reference to a court of summary jurisdiction to a reference to the Magistrates Court.

Clause 42: Amendment of s. 30—Court to explain proceedings etc.

This clause makes the language of the section consistent with the language of the *Young Offenders Act* and the *Youth Court Act* by referring to "youths" rather than "children".

Clause 43: Amendment of s. 32—Reports

This amendment is of a housekeeping nature and reflects current public sector terminology.

Clause 44: Amendment of s. 34—Attendance at court of guardian of youth charged with offence

This clause converts references to divisional penalties according to current government policy.

Clause 45: Amendment of s. 36—Detention of youth sentenced as an adult

New subsection (2a) provides that a youth detained in a training centre must (unless the sentencing court directs otherwise) be transferred to a prison to serve any sentence of imprisonment imposed in relation to an offence committed after the youth turned 18.

Clause 46: Amendment of s. 37—Release on licence of youths convicted of murder

This amendment is of a housekeeping nature and reflects current public sector terminology.

Clause 47: Insertion of Division 2A—HOME DETENTION

The Court can currently impose home detention under section 23(2)*(b)*. The new Division includes necessary administrative provisions to enable the home detention system to work effectively.

37A. Conditions of home detention

This section imposes conditions on home detention setting out the circumstances in which the youth may leave the home, requiring the youth to be of good behaviour and requiring the youth to obey the lawful directions of the home detention officer. The section also allows the Court to impose other conditions at its discretion.

37B. Home detention officers

This section requires a home detention officer to be assigned and enables the officer to give the youth certain types of directions and to take certain action to monitor compliance with the home detention order by the youth.

37C. Variation or revocation of home detention order

This section allows for variation or revocation of a home detention order if the youth breaches the conditions of the order or the home is no longer suitable.

37D. General provisions

This section makes it clear that the Crown is not liable to maintain a youth in home detention and that the youth is to be regarded as unlawfully at large if the youth leaves the home unlawfully.

Clause 48: Amendment of s. 38—The Training Centre Review Board

The amendment to subsection (2)*(d)* is of a housekeeping nature and reflects current Ministerial responsibilities.

The clause also adds two new members to the Board—two Aboriginal persons nominated by the Minister for Aboriginal Affairs. If an Aboriginal youth is the subject of the review, the Board must include at least one of the Aboriginal members.

The insertion of subsections (6a) and (6b) provides indemnity for members of the Board from civil liability.

Clause 49: Amendment of s. 39—Review of detention by Board

This amendment is of a housekeeping nature and reflects current public sector terminology.

Clause 50: Amendment of s. 40—Leave of absence

The amendment to subsection (1)*(b)* enables the Chief Executive to grant leave of absence from a training centre for attendance at a personal development program or a work program, project or camp as well as for an educational or training course.

The other amendments are of a housekeeping nature and reflect current public sector terminology.

Clause 51: Amendment of s. 41—Conditional release from detention

The amendment to subsection (3) provides that the Training Centre Review Board cannot order the early release of a youth who is serving a sentence of detention of less than 2 months.

New subsection (5a) allows the Training Centre Review Board to release a youth on home detention on similar terms to the Court ordering home detention.

New subsection (14) provides that if a youth is taken into custody pending proceedings for breach of a condition of release and following those proceedings is required to serve the balance of the original sentence of detention, the period spent in custody is to count towards the balance of the period of detention.

New subsection (15) enables the Board to order community service as a penalty for a breach of a condition of release that is not so serious as to warrant returning the youth to detention.

Clause 52: Amendment of s. 42—Absolute release from detention by Court

This amendment is of a housekeeping nature and reflects current public sector terminology.

Clause 53: Amendment of s. 48—Escape from custody

This amendment excludes a youth serving a sentence of home detention from the application of the section. (A youth who leaves a home contrary to a home detention order is unlawfully at large under new section 37D and the contravention is to be dealt with as a breach of condition enabling revocation of the order.)

Clause 54: Amendment of heading

The heading to Part 6 is altered to reflect the following amendments that extend the application of the rules relating to community service to other work related orders.

Clause 55: Amendment of s. 49—Community service and work orders cannot be imposed unless there is a placement for the youth

Subsection (1) currently prevents community service being ordered unless a suitable placement is or soon will be available. The amendment imposes a similar requirement with respect to any work project, program or camp.

Clause 56: Insertion of s. 49A—Restrictions on performance of community service and other work orders

New section 49A imposes reasonable restrictions on the performance of community service similar to the restrictions that apply under the *Criminal Law (Sentencing) Act 1988* in the adult system.

Clause 57: Amendment of s. 50—Insurance cover for youths performing community service or other work orders

The amendments extend the provisions relating to insurance for community service work to other forms of work.

Clause 58: Amendment of s. 51—Community service or other work orders may only involve certain kinds of work

The amendment requires any work ordered to be undertaken under the Act to be of the nature of work that may be selected for community service.

Clause 59: Amendment of s. 56—Reports

The amendment alters the date for the Advisory Committee's annual report from 30 September to 31 December.

Clause 60: Amendment of s. 59—Detention and search by officers of Department

This amendment is of a housekeeping nature and reflects current public sector terminology.

Clause 61: Insertion of s. 59A—Power of arrest by officers of the Department

New section 59A enables officers of the Department to arrest youths who are unlawfully at large. The power is similar to that which used to be provided by section 75 of the *Community Welfare Act 1972*.

Clause 62: Amendment of s. 60—Hindering an officer of the Department

This clause converts references to divisional penalties according to current government policy.

Clause 63: Amendment of s. 63—Transfer of youths in detention to other training centre or prison

This clause is of a housekeeping nature and reflects current public sector terminology.

Clause 64: Amendment of s. 65—Regulations

This clause converts references to divisional penalties according to current government policy.

PART 6 AMENDMENT OF YOUTH COURT ACT 1993

Clause 65: Amendment of s. 7—Jurisdiction

This clause is of a housekeeping nature and updates the references to summary protection orders to references to restraining orders and domestic violence restraining orders.

Clause 66: Amendment of s. 10—The Senior Judge

This amendment makes it clear that the Senior Judge has all of the powers of the Chief Magistrate in relation to a Magistrate who is a member of the Court's principal judiciary.

Clause 67: Amendment of s. 25—Restrictions on reports of proceedings

Clause 68: Amendment of s. 28—Punishment of contempt

These clauses convert references to divisional penalties according to current government policy.

Clause 69: Amendment of s. 32—Rules of Court

This amendment requires the Judges and Magistrates who make Rules of Court to be members of the principal judiciary of the Court.

Mr ATKINSON secured the adjournment of the debate.

FRIENDLY SOCIETIES (OBJECTS OF FUNDS) AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATE CLOTHING CORPORATION (WINDING-UP) AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATE LOTTERIES (UNCLAIMED PRIZES) AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (WATERWORKS AND SEWERAGE) BILL

Returned from the Legislative Council without amendment.

TRUSTEE (VARIATION OF CHARITABLE TRUSTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 July. Page 1829.)

Mr ATKINSON (Spence): The Bill proposes a new remedy for charitable trusts where the objects have been frustrated. The Deputy Premier cited the example of a trust awarding prizes at a school that no longer exists. Another example put before this Parliament is the trust for destitute seamen at Port Adelaide. There being few, if any, destitute seamen wandering the Port these days, the Parliament has applied the trust funds to another purpose. The usual remedy for this is to approach a court to have the property applied *cy pres*, that is, applied to some other charitable purpose as nearly as possible resembling the original purpose. In South Australia, the court to which trustees must apply is the Supreme Court. This is a costly business and can eat up much of the trust's capital. The Attorney-General has estimated that $10 000 could be spent on such an application if there were any difficulty.

If the trust is covered under legislation, that is, it is contained in a private Act of Parliament, it must come before Parliament for us to pass special legislation to apply the money in the trust to a new object. Members will recall private Bills of this kind in the past six years. It is not these legislative trusts to which we are now turning our mind. The Bill before us proposes, regarding charitable trusts that are not covered under legislation, that the Attorney-General be

able to apply the trust funds *cy-pres*, providing the capital does not exceed $250 000. Clause 3 requires the Attorney to be satisfied that the proposed variation accords, as far as is reasonably practicable, with the spirit of the trust.

This is the same test that the Supreme Court must apply. Approaching the Attorney would be less costly than approaching the Supreme Court, or at least we hope it would be. The Attorney would have to consider the change in the trust's objects in the same way as the Supreme Court now does under section 69B of the Trustee Act. If the Attorney feels the need for judicial assistance, he can refer a trust with capital under $250 000 to the Supreme Court. Of course, if the trust has capital of more than $250 000, the trustees must still approach the Supreme Court. The Attorney can recover from the trust any costs incurred by him in the application to vary the trust. The Opposition supports the Bill.

The Hon. S.J. BAKER (Treasurer): I thank the member for Spence for his support of the Bill. It is another small area of reform, and I congratulate the Attorney once more for taking on some of these issues. They are niggling issues that have been around for a long time and, for those people who are frustrated by outdated laws or administrative arrangements, they can cause some concern. So, to the extent that we are making the law more practical and to the extent that we may have trusts that are inoperable simply because of the nature of the trust deeds, we can now fix them readily without cutting across the intent of the trust itself. I thank the member for Spence.

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

OMBUDSMAN (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 3 July. Page 1829.)

Mr ATKINSON (Spence): The office of Ombudsman was created a generation ago to review administrative decisions on behalf of Parliament. The proposal for the office of Ombudsman came from the member for Fisher, later Davenport, Mr Stan Evans. At the time when Stan promoted the Ombudsman proposal, members of Parliament did not have a personal assistant each and did not have electorate offices in the suburbs and country towns equipped with photocopiers, faxes and personal computers. Members of Parliament found it difficult to review administrative decisions on behalf of aggrieved constituents. We did not have freedom of information, and courts would not readily interfere with administrative decisions.

Administrative decision making in 1970 did not have to reach high standards and bad decisions could be more easily covered up. Difficulties were greater for suburban members of Parliament, such as Stan Evans or my predecessor of blessed memory, the Hon. Cyril Hutchens, because their electorates might have more than 20 000 constituents compared with 4 000 in an ordinary country electorate. This disparity in the size of electorates was, of course, a legacy of Sir Thomas Playford—a legacy that neither the Prime Minister, the Hon. John Howard, nor any Government members have mentioned in their recent speechifying about Sir Thomas. The malapportionment of electoral boundaries has disappeared down the same memory hole as has the non-Labor and British contribution in former Prime Minister Paul Keating's version of Australian history, but I digress.

In the office of Ombudsman, Stan Evans wanted to have a legally trained and well-resourced public official who could, on behalf of constituents, scrutinise the administrative decisions of bureaucrats and Ministers in particular. This is not to say that Stan Evans wanted to handpass his constituent cases: far from it. As a local member, Stan was a tiger, taking on the most unmeritorious constituent complaints and prospering himself electorally by pursuing them beyond the endurance of bureaucrats and Ministers.

I have a feeling that the current Ombudsman, Mr Eugene Biganovsky, is generous with his time, entertaining unmeritorious grievances with the politeness of a Government backbencher on a majority of 100 votes. A good Ombudsman, as does a good local member, realises that sometimes the service he or she is providing in hearing a grievance about an administrative decision is not its possible solution but therapy for the constituent.

The Bill before us establishes a six member parliamentary committee on the Ombudsman. The committee, instead of the Government, will appoint the next Ombudsman. This is entirely appropriate, because the Ombudsman is, as is the Auditor-General, a parliamentary officer and not an Executive Government official. The Bill also authorises the committee, the House, or any other parliamentary committee to refer a matter to the Ombudsman for investigation or report. This may be superfluous because, of course, any member of the House can refer a matter to the Ombudsman.

The Bill provides for health units incorporated under the Health Commission Act to be automatically under the Ombudsman's scrutiny rather than having to wait for their inclusion under the Ombudsman's jurisdiction to be proclaimed in the *Government Gazette*, as they invariably are. Clause 8 of the Bill puts beyond doubt the Ombudsman's authority to conciliate a complaint.

The only controversial aspect of the Bill is clause 9, which allows the Ombudsman to stay an administrative decision for up to 45 days. The Ombudsman may do this only if he is satisfied that the administrative act is likely to prejudice an investigation of his or the effect of one of his recommendations. Government members are relaxed about this clause, probably because they think it will be invoked almost exclusively in respect of decisions of local government, and rarely in respect of the decisions of their Government. New laws and new rules have a history of turning around and smacking their authors in the mouth. The Local Government Association knows that local government is the intended victim of the clause, and it has written to members to oppose it.

The Opposition accepts that sometimes the Ombudsman will need to stay an administrative decision or action to prevent contempt of his investigation by a bureaucrat's implementing a decision quickly to frustrate the Ombudsman's investigation. We will, however, watch the use of this authority to ensure that it is not abused. We welcome the foreshadowed Government amendment that the Ombudsman may exercise his authority only to stay personally, that is to say, his authority may not be delegated. With those remarks, the Opposition supports the Bill but would appreciate the Deputy Premier's explaining each of the foreshadowed amendments.

Mr EVANS (Davenport): I support the Bill, particularly the amendment allowing the Ombudsman to stay proceedings

in some circumstances involving local council decisions. Some constituents in my electorate have been subjected to decisions of council, which they have referred to the Ombudsman, only to have the council bring forward and finalise the works under appeal to the Ombudsman before the Ombudsman has had a chance to investigate the appeal. If this amendment, as I understand it, gives constituents a chance to appeal to the Ombudsman and ensures that the Ombudsman can provide a fair assessment of the works under appeal, I believe it is a good amendment to the Act and I support it.

The Hon. S.J. BAKER (Deputy Premier): I thank the member for Spence for his support for the Bill, and I reflect upon the comments of the member for Davenport. As was said by the member for Spence, the architect of the position of Ombudsman was Mr Stan Evans. The Bill provides for the appointment of the Ombudsman through the parliamentary system. The matter has been debated on a number of occasions in this House and the degree of independence of particular officers of the Crown such as the Ombudsman has been raised. The Auditor-General is another and it is generally suggested that his appointment ought to be made under the auspices of the Parliament. Other appointments have also been referred to, such as the Police Commissioner, the Electoral Commissioner and one or two others. Importantly, the Bill does take the extra step that has been talked about for some time to provide that level of bipartisan support and confidence that most people would wish to see in terms of the appointment. It will be up to the Parliament to make the appointment, and that is appropriate.

The Bill contains a number of miscellaneous provisions to bring further areas of government and semi-government activity under the auspices of the Ombudsman Act. Those areas have been discussed over a period of time because they have been notable by their absence in terms of the capacity of the Ombudsman to reflect upon administrative acts which are detrimental to people as a result of decisions made by some of the other entities that have not previously been covered. I shall be more than happy to go through the amendments in Committee, which is the appropriate forum, and I am sure we can progress the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—'Ombudsman may issue temporary prohibition on administrative acts.'

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

Page 3—

Line 33—Leave out 'prohibit' and substitute 'direct'.

Line 34—Insert 'to refrain' after 'applies'.

Lines 35 and 36—Leave out '(provided that no administrative act may be prohibited pursuant to a notice or notices for more than 45 days in aggregate)'.

After line 36—Insert new subclause as follows:

(1a) A notice or notices issued under this section must not require an agency to refrain from performing an administrative act for more than 45 days in aggregate.

Page 4—

Line 2—Leave out 'administrative act sought to be prohibited' and substitute 'relevant administrative act'.

Line 11—Insert 'and must revoke a notice if satisfied that the notice should not have been issued because the circumstances did not fall properly within those described in section (2)' after 'section'.

After line 11—Insert new subclause as follows:

(3a) If, following receipt of a notice under this section, the agency is of the opinion that, in the circumstances, failure to comply with the terms of the notice would be reasonable and justifiable, the agency may determine not to comply with the notice (in which case it must advise the Ombudsman of that determination, in writing, as soon as practicable).

After line 23—Insert new subclause as follows:

(4a) A power or function of the Ombudsman under this section must not be delegated.

The amendments to this clause deal with the capacity of the Ombudsman to restrict an administrative act by issuing a temporary prohibition. I will deal with the amendments *en bloc*. The amendments clarify the provisions because, on reflection, we do not believe they are as appropriate as they should be. Clause 9 deals with temporary prohibitions on administrative acts. Under the Bill, the Ombudsman may by notice prohibit an agency from performing an administrative act for a period of up to 45 days. The Ombudsman cannot issue such a notice unless satisfied that the administrative act is likely to prejudice an investigation or the effect of a recommendation that the Ombudsman might make. The member for Davenport gave an example where the council got on with the task quickly to ensure that the filed complaint could not be pursued.

The power to issue a notice would apply only where it was necessary to prevent hardship to a person and compliance with the notice would not result in an agency breaching a contract or legal obligation or cause another party undue hardship. It cannot be used for some frivolous idea that is put forward by a particular person. Some concern has been expressed that the provision as drafted may cause problems for agencies. There is a concern that the Bill does not make it clear whether an agency must comply with the notice and the effect of such non-compliance. The Bill refers to the Ombudsman's prohibiting an act and provides for the Ombudsman to report to the Premier on any unjustifiable or unreasonable non-compliance. The report to the Premier can also be tabled in Parliament. It has been suggested that compliance could be viewed as a voluntary action and that an agency that complies with a notice could expose itself to legal liability in some circumstances.

The Government considers this provision will be of assistance to the Ombudsman in investigating matters. However, it does consider that some clarification is needed to ensure that the agencies are not put at risk of legal liability by virtue of complying with a notice. The series of amendments moved by the Government is aimed at clarifying the position of agencies. We have tried to clarify those elements. Therefore, new section 19a will now provide:

(1) The Ombudsman may, by notice in writing, direct an agency to which this act applies from performing—

rather than 'prohibit'.

Ms HURLEY: I have been contacted by the Local Government Association. I understood the Minister to say that the amendments deal with a lot of its concerns about whether or not a notice from the Ombudsman might result in breach of a contract or legal obligation, and that the Bill and the amendments ensure that that does not occur. The final source of the association's concern is that the provisions of the Bill may not expressly oblige a council to comply with a notice. Thus, if a council did not comply with a notice, it is possible this might be viewed as a voluntary action so as to avoid a legally enforceable sanction and councils would have potential liability exposure on that basis. Will the Minister comment on that concern?

The Hon. S.J. BAKER: I thank the member for Napier for raising the issue. She has received representation, and that is why we are changing the provision. Rather than 'prohibit' we are including 'direct'. A letter received last night by the Hon. Trevor Griffin from the Secretary-General of the Local Government Association states:

Further to my previous advice I confirm that the Local Government Association of South Australia is supportive of the amendments to be moved by the Treasurer, Mr Baker, as conveyed to us by facsimile earlier today. A minor point for consideration, it is suggested that the heading to section 19a should also be amended to replace the word 'prohibition' as has been done in the actual provision. The word 'direction' is possibly the most appropriate substitute.

Parliamentary Counsel has said that that would normally flow, so the clause heading is amended as we change 'prohibit' to 'direct'. The Local Government Association has given this change a big tick.

Amendments carried; clause as amended passed.

Remaining clauses (10 to 12), schedule and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 4.37 p.m. the House adjourned until Tuesday 23 July at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 9 July 1996

QUESTIONS ON NOTICE

BIRD REPELLENT GEL

67. **Mr ATKINSON:** Has an assessment been made to determine whether silicon-based bird repellent gels are cruel, and if so, what were the results and is it the Government's intention to introduce a Bill to make the use of these gels unlawful?

The Hon. D.C. WOTTON: An independent report and recommendations have been received. It was determined that bird gels have only limited use but that they do have the potential to entrap birds. The major manufacturer of these products, Rentokil, ceased production of gels on 8 February 1996 so, when current stocks are depleted, gels will no longer be available to the public. There is the potential for other companies to fill the void in the market created by the withdrawal of 'Bird-Off', the Rentokil product. I shall present to Parliament draft amendments to the Regulations subordinate to the *Prevention of Cruelty to Animals Act 1985* prescribing that it would be an offence to lay a silicon-based gel with the intention of deterring or entrapping any bird or animal.

PUBLIC SECTOR NET DEBT

81. **Mr QUIRKE:** What are the dollar values for 30 June of each year represented on the graph of total liabilities and net debt adjusted for asset sale in nominal terms, in Chart 5 in the Financial Statement dated 31 May 1994, on both a 'no policy change' and 'policy' basis, and was the Commonwealth financial assistance associated with the sale of the State Bank excluded from the chart and, if so, what was the dollar value of these adjustments in each year?

The Hon. S.J. BAKER: The dollar values for 30 June of each year represented on Chart 5 'Total Public Sector Net Debt—Nominal Terms Adjusted for Asset Sales' are as follows:

Year ending 30 June	Public Sector Net Debt (nominal—$ million		Public Sector Net Debt plus Unfunded Superannuation Liabilities (nominal—$ million)	
	No Policy Change	Policy	No Policy Change	Policy
1990	4 686	4 686	8 067	8 067
1991	7 156	7 156	10 907	10 907
1992	8 057	8 057	12 250	12 250
1993	8 252	8 252	12 583	12 583
1994	8 688	8 686	13 090	13 088
1995	9 011	9 211	13 629	13 793
1996	9 177	9 338	14 002	14 087
1997	9 307	9 256	14 316	14 144
1998	9 304	9 022	14 488	14 029

The Commonwealth financial assistance associated with the sale of the State Bank was excluded from the chart as it was part of what was defined as 'future proceeds associated with the sale of the State Bank'. The adjustment to the public sector net debt estimates attributed to this receipt from the Commonwealth was estimated at $234 million in 1994-95.

CROYDON RAILWAY STATION

87. **Mr ATKINSON:** When will the Minister reply to the member for Spence's letter of 13 February about access to Croydon Railway Station and the pedestrian crossing over the railway of Kilkenny?

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

An answer to the letter from the member for Spence was provided on 28 June 1996.

DEFAMATION, MINISTERS

99. **Mr ATKINSON:** Has any Minister in the past 10 years been funded by the Government as a plaintiff in legal proceedings for defamation?

The Hon. DEAN BROWN: The Crown Solicitor's Office has no record of having acted for any Minister in the past 10 years as a plaintiff in legal proceedings for defamation.

Since the 1993 State election no Minister has received public funding to take such proceedings through a private solicitor. The Crown Solicitor's Office is unaware of any Minister having been funded to take such proceedings through a private solicitor in the period between 1986 and the 1993 State election.