

HOUSE OF ASSEMBLY

Tuesday 23 July 1996

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

DE FACTO RELATIONSHIPS BILL

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

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

Motion carried.

SHOOTING BAN

A petition signed by 10 residents of South Australia requesting that the House urge the Government to ban the recreational shooting of ducks and quails was presented by the Hon. S.J. Baker.

Petition received.

OBSTETRIC INDEMNITY INSURANCE

A petition signed by 92 residents of South Australia requesting that the House urge the Government to resolve the issue of obstetric indemnity insurance for medical staff was presented by the Hon. H. Allison.

Petition received.

FIREARMS

A petition signed by 865 residents of South Australia requesting that the House urge the Government not to proceed with the proposed prohibition on shotguns and rim-fire rifles was presented by Mrs Penfold.

Petition received.

QUESTION

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

OPERATION PATRIOT

In reply to **Mr ATKINSON (Spence)** 14 February.

The **Hon. S.J. BAKER**: It is not a practice of Operation Patriot to seize condoms or safe sex publications for breaches of section 21 of the Summary Offences Act *per se*.

Condoms, new or used, and other paraphernalia relating to the practices of the sex industry have been seized and photographed for the purposes of proving prostitution related offences, particularly the offences in section 28 of the Summary Offences Act:

- Receive money paid in brothel for prostitution
- Keep/manage brothel.

In section 28 offences, or other offences involving prostitution, collection of condoms and the like are obvious physical indications as to the purpose to which premises are being used.

In the investigation of prostitution related offences there are often instances where, for example, the operators of brothels are reported or arrested for those offences and the sex workers or customers are reported or cautioned for section 21 (without lawful excuse being in premises frequented by prostitutes). In these instances, equipment may be seized to prove the more serious offences while, arising out of the same incident, others are reported for breaches of section 21.

While it is not the general practice to seize condoms for section 21 offences, it is not inconceivable that an offence under section 21(a) of the Summary Offences Act, being the occupier of the premises frequented by prostitutes may be supported by evidence of

the nature of the business being conducted, and therefore by the seizures of condoms.

PAPERS TABLED

The following papers were laid on the table:

By the Premier (Hon. D.C. Brown)—

Competition Policy Reform (South Australia) Act—
Regulations—Savings and Transitional

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

Business Names Act—Regulations—Fees

By the Minister for Mines and Energy (Hon. S.J. Baker)—

Environment Resources & Development Committee—
Nineteenth Report—Response by Minister for Mines
and Energy, Minister for Health and the Minister
for the Environment and Natural Resources—
Roxby Downs Water Leakage

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

Road Traffic Act—Regulations—Declaration of Hospitals

By the Minister for Industry, Manufacturing, Small
Business and Regional Development, for the Minister for
Industrial Affairs (Hon. G.A. Ingerson)—

Daylight Saving Act—Regulations—Dates 1996

By the Minister for Industry, Manufacturing, Small
Business and Regional Development, for the Minister for
Recreation, Sport and Racing (Hon. G.A. Ingerson)—

Rules of Racing—Greyhound Racing Authority—
Registration of Clubs
Adelaide Greyhound Racing Club

By the Minister for the Environment and Natural Re-
sources (Hon. D.C. Wotton)—

Regulations under the following Acts—
Water Resources—Penrice Exemption
Prevention of Cruelty to Animals—Electro-
immobiliser.

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

Regulations under the following Acts—
Local Government Finance Authority—Other Bodies.
West Terrace Cemetery—Fees
Corporation—By-Laws—Port Lincoln—
No. 1—Dog and Cat Management
No. 9—Council Land
No. 11—North Shields Cemetery
District Council of Yorketown—By-Law—No. 2—
Moveable Signs

LEGIONNAIRE'S DISEASE

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

Leave granted.

The **Hon. M.H. ARMITAGE**: Legionellosis, or
Legionnaire's disease as it is commonly known, is an atypical
pneumonia predominantly caused by *Legionella longbeachae*
and *Legionella pneumophila*. *L. pneumophila* infections are
caused by the inhalation of spray containing the bacteria.
Equipment containing warm water (with an optimum 40°C
temperature) and capable of generating sprays, such as
cooling towers for commercial air-conditioners and spa pools,
have been implicated in outbreaks of Legionellosis. There
have been seven cases of *Legionella pneumophila* reported
in South Australia this year, which is consistent with previous
years. The Public and Environmental Health Service of the
South Australian Health Commission carried out investigat-

ions into the first six cases but could find no common exposures except that five had visited (different) spa pools. The commission issued a warning to the pool and spa industry and to local government asking them to pay particular attention to water quality. It should be noted that *Legionella pneumophila* is a commonly occurring organism in the environment and tests in this State have indicated that nearly a third of the population, while giving no history of previous characteristic illness, show evidence of past infection with *Legionella*.

On Friday 19 July the Health Commission was notified of a case which may have been related to a previous case, in that both had stayed at a hotel at Kingscote during the incubation period of their illness. The commission believes that the two cases could be related to each other but are probably unrelated to the other cases this year. On establishing this possible link, the commission believed that there was enough epidemiological evidence to assume that an outbreak may have occurred and it established an investigation group forthwith.

In concert with local authorities, the commission began immediate investigations at the hotel. The hotel's spa pool was closed on Wednesday 17 July (before the declaration of the outbreak) on the advice of the Health Commission and following bacteriological examination of the spa pool water which suggested inadequate disinfection. This testing of the water was undertaken as a result of the first case associated with the hotel. It may be several days before the presence or absence of *Legionella* in these water samples can be confirmed. Officers also organised for sampling of the hot water service. A decision was made to turn up the temperature of the water to 70°C to pasteurise the system, although initial investigations suggested that the hot water system complied with Australian standards.

Health Commission officers spoke to hotel management and a leaflet on *Legionella* was faxed through to the local health surveyor for distribution to guests and workers. A press release was issued on Friday evening last advising anyone who had visited Kingscote in the past fortnight and who was suffering from listed symptoms to contact their doctor as soon as possible. This message was repeated on Saturday in a further press release which also warned the public to pay particular attention to water quality in spa pools (not spa baths which because water is changed regularly are not likely to be problematic). On Saturday 20 July, an epidemiologist from the Communicable Disease Control Branch and a plumbing expert travelled to Kingscote to advise local council authorities.

We have been given a grim reminder of the seriousness of this disease which caused the death of one of the patients on Sunday evening, and I extend my sympathy and everyone in the House to the family involved. The other case involved in the suspected outbreak is reported to be in a critical condition. The Health Commission is currently carrying out a number of concurrent investigations into the outbreak. These include:

- an examination of case records at the Kingscote Hospital and GP surgeries;
- tests on workers undertaking renovations at the hotel;
- an examination of the guest list from the hotel;
- a list of other work groups involved in the renovations;
- a questionnaire for any suspected cases;
- details of renovation dates and hot water system temperatures;
- notification of GPs in Kingscote and a general alert to GPs throughout the State; and

- an alert to health departments in other States and territories.

Samples from four recent patients are being analysed for similarities. No further cases have been reported. This unfortunate event again demonstrates the need for health authorities to be alert to the ever present danger of disease outbreaks and the need for a proper scientific and public policy protocol to be enacted once an outbreak has occurred. Once again, the public can be assured that this has happened and I will keep the House informed of any further significant developments.

DEATH AND DYING

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

Leave granted.

The Hon. M.H. ARMITAGE: It gives me great pleasure to table the second report to Parliament on the care of people who are dying in South Australia. The Select Committee of this House on the Law and Practice Relating to Death and Dying made a number of recommendations covering diverse areas such as the law, palliative care, community attitudes, professional education and funding. In relation to reporting, the select committee envisaged that a resolution should be passed by both Houses requiring the Minister for Health to report annually to Parliament on the care of people who are dying in South Australia. Such a resolution was passed and some time ago I had the pleasure of tabling the first such report. It is again with a great sense of personal as well as ministerial pleasure that I table the second such report.

As before, I pay tribute to the many dedicated health professionals working in the area; to the volunteers and carers; to the educators; to the members of the clergy; and to the organisations and individuals who work to ensure that the needs of palliative care patients, their carers and families are kept on the agenda. The report is comprehensive. It covers what has been achieved (and much has been achieved) as well as what is still to be done. The checklist of what has been done to implement the select committee recommendations shows that South Australia is well placed to regard itself as 'leading edge' in palliative care and related services in Australia and, in some instances, in the world.

Just as palliative care is multi-disciplinary, so also is the partnership approach to the whole area, which is a characteristic, if not the key, to the success of South Australia's system. The South Australian approach embraces Government agencies, Government funded agencies, different levels of government, the private sector, the professional associations, educational institutions, the clergy and the voluntary organisations. It has one, simple, common focus: the care of people who are dying and their carers and families. Palliative care was very much on the public agenda during 1995, with the launch of the Good Palliative Care Order project—a world first—in August, and the proclamation of the Consent to Medical Treatment and Palliative Care Act in November—again a world first, I am advised, in recognising palliative care in legislation. Palliative care will continue to remain high on the Government's agenda, and I commend the report to the House. I seek leave to refer the report on the care of people who are dying in South Australia to the Social Development Committee of Parliament.

Leave granted.

QUESTION TIME

LEGIONNAIRE'S DISEASE

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Minister for Health. Why has the Director of Public Health failed to contact those guests who have recently stayed at the Kangaroo Island hotel implicated in the current legionnaire's disease outbreak which has resulted in the death of a 49 year old man yesterday and a woman remaining critically ill? Legionnaire's disease has an incubation period of up to two weeks and is a notifiable disease. A registered nurse who stayed with her three and five year old children at the hotel two weeks ago and who used the hotel spa has advised the Opposition that she was told by the Health Commission today that no guests have been personally contacted following the outbreak. A woman who had stayed at the hotel implicated in this outbreak was also told by a public health official today that the media were being used as a means to notify former guests. Yesterday, however, the Director of Public Health, Dr Kerry Kirke, refused to tell the media the name of the hotel but did tell them:

We assumed that somebody might die anyway. We acted as if that was going to be the case.

The Hon. M.H. ARMITAGE: I will have to inquire of the Public and Environmental Health Department as to the answer to the Leader's specific question. As I indicated in my ministerial statement, a Public and Environmental Health Registrar was sent to Kangaroo Island first thing on Saturday morning, and that was one of the tasks that person was asked to do.

Members interjecting:

The Hon. M.H. ARMITAGE: Well, it says here—

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: My statement says, 'I am informed that the Health Commission has carried out a number of concurrent investigations, including an examination of the guest list from the hotel.' I shall get back to the honourable member with the answer.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I will examine Standing Orders if the honourable member continues to interject.

TAN SRI LOY

Mrs ROSENBERG (Kaurna): Will the Premier inform the House of the most recent developments associated with public allegations concerning the Malaysian developer of the Worrina tourist resort, Mr Tan Sri Loy, and his company MBf?

The Hon. DEAN BROWN: In August 1994, both the Labor Opposition in this Parliament and Channel 7 made very specific allegations concerning Tan Sri Loy and the MBf group. I am sure that the House will recall that the MBf group had just announced that it was intending to invest up to \$200 million over a 10-year period at Worrina in the development of the first international class tourist resort in South Australia. On 11 July this year, Channel 7 published the following apology and retraction:

Between 4 and 10 August 1994, Seven Nightly News reported about Tan Sri Loy from MBf. Allegations were made that Loy was involved in a scandal in Malaysia. Those allegations were incorrect. We apologise to Tan Sri Loy.

Channel 7 has therefore apologised and withdrawn those accusations. What about the Labor Party in this Parliament? We have had no retraction whatsoever from either the Leader of the Opposition, who made specific allegations, or the member for Hart, who also made allegations. The Labor Opposition is willing to stand under the protection of this Parliament and smear anyone who is willing to invest in South Australia. When he was elected, the Leader of the Opposition said that he would be positive and patriotic.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: However, since that day, he has not issued one positive statement.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition.

The Hon. DEAN BROWN: All he has done is use his position in this Parliament, together with other members of the Labor Party, to smear and knock any potential development in this State. I ask the Leader of the Opposition, who was Deputy Leader of the Opposition when he made specific allegations in this House, to stand up and apologise. Channel 7 has clearly done so: it has admitted it was wrong and has apologised. When will the Leader of the Opposition have the same degree of courage to stand up and admit that he is wrong?

Members interjecting:

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

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: We all know that, when he was the Leader of the Labor Party, Lynn Arnold had the courage to apologise when the Labor Party made a mistake. But this Leader of the Opposition does not have the same courage to stand up and apologise when he makes a mistake.

Members interjecting:

The SPEAKER: Order! It is fairly obvious to the Chair that certain members do not want to ask questions. If they continue, I will take their name off my list and allow those members who conform to Standing Orders to ask questions.

Mr Becker interjecting:

The SPEAKER: Order! That includes the member for Peake. Certain members have been interjecting. I will not speak to them again; I will automatically take them off the list.

FERRIS, Ms J.

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Has the Government requested and received an opinion from South Australia's Solicitor-General or from Crown Law or other legal advice in relation to the eligibility of Ms Jeannie Ferris to be appointed to the Senate vacancy she has created and, if so, will the Premier table that advice to allow members of Parliament to consider it ahead of tomorrow's joint sitting?

The Government has called a joint sitting of the South Australian Parliament at noon tomorrow to select a replacement for the casual Senate vacancy left by the resignation of Ms Ferris. The Government will move to reappoint Ms Ferris to the position she resigned from just 11 days ago. Her resignation came two days before a Senate deadline to refer the matter of her eligibility to the High Court sitting as the Court of Disputed Returns. It has been revealed that, after the 2 March Federal election, Ms Ferris did paid work for South

Australian Senator Nick Minchin, receiving taxpayer funded pay and allowances of more than \$9 000. Section 44 of the Australian Constitution states, and I quote, that 'any person—

The SPEAKER: Order!

The Hon. M.D. RANN: It is a quote, not debate.

The SPEAKER: I do not want a debate—

The Hon. M.D. RANN: Section 44 of the Australian Constitution—

The Hon. S.J. BAKER: I rise on a point of order.

The SPEAKER: Order! The Deputy Premier has a point of order.

The Hon. S.J. BAKER: This is comment—

The Hon. M.D. Rann interjecting:

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

The Hon. S.J. BAKER: Sir, he doesn't like anything.

The SPEAKER: Order!

The Hon. S.J. BAKER: The point of order is that this is comment and debate on a question.

The SPEAKER: Order! The Chair is of the view that the Leader is quoting. I point out to him that he cannot debate: he must only quote. He has made a lengthy explanation and I ask him to round it off.

The Hon. M.D. RANN: Thank you, Sir. Section 44(4) of the Australian Constitution states (and I quote directly) that 'any person that holds any office of profit under the Crown shall be incapable of being chosen or of sitting as a Senator'.

The Hon. DEAN BROWN: The Leader of the Opposition knows that tomorrow there is a joint sitting of both Houses of Parliament to consider this specific issue. The Government has a letter from the Liberal Party nominating Jeannie Ferris as the Liberal Party's nomination. Jeannie Ferris has a legal opinion, backed up by two or three QCs, which clearly verifies the steps that have been taken by the Liberal Party.

Mr Atkinson interjecting:

The Hon. DEAN BROWN: As I understand it, the only other opinion which I have heard and which has been waved around by the Labor Party is one by Senator Nick Bolkus whose legal argument would not stand up around the bar of a pub let alone in any Parliament or in any court.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Therefore, all we have is the Leader of the Opposition wanting to rest his case on a statement made by Nick Bolkus, no-one else.

Members interjecting:

The SPEAKER: Order! I do not want to speak to the Leader of the Opposition again, and he does not need any assistance from the Deputy Leader, either.

The Hon. DEAN BROWN: It will be interesting to see whether members of the Labor Party, now that they are in opposition, are willing to abide by the convention that they themselves insisted be put in place because of what happened in Queensland in 1975.

The Hon. M.D. Rann: Wait and see.

The Hon. DEAN BROWN: I am willing to wait and see what happens tomorrow. I suspect that the numbers will be there to vote to ensure that the convention is upheld and that Jeannie Ferris is the nomination from South Australia to fill this vacancy.

Members interjecting:

The SPEAKER: Order! The member for Unley.

Members interjecting:

The SPEAKER: Order! The member for Unley does not need any assistance.

Members interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for the second and final time.

ROXBY DOWNS

Mr BRINDAL (Unley): Will the Minister for Mines and Energy outline the latest expansion plans concerning Western Mining Corporation's Olympic Dam operations at Roxby Downs? As members are aware, Western Mining has announced important plans to spend \$1.25 billion dollars in expanding the Roxby Downs mine in the State's Far North, an operation which is a major employment generator, which is a contributor to the export income and in which many of my electors hold shares.

The Hon. S.J. BAKER: I am sure that every member of this House would have welcomed Western Mining Corporation's announcement on Monday of last week regarding investment of \$1.25 billion in this State's future. Not only does Western Mining believe that it is a good investment but we as South Australians congratulate the company on such a large commitment to this mine. Members would be cognisant of the fact that currently at Roxby Downs we produce about 85 000 tonnes of copper. Under Western Mining's proposal it is expected that the mining operations will produce 200 000 tonnes of copper by the year 2001. The decision has not been taken lightly. Some \$8.5 million has been spent in studying the feasibility of such an expansion.

It should be remembered that, whilst Roxby is a very efficient operation, it still requires that critical mass to reach the world standard of major mines in other jurisdictions. That is why Western Mining has put on the record its intention to increase the production of Roxby to the ultimate expectation of some 350 000 tonnes a year.

An honourable member: Not bad for a mirage.

The Hon. S.J. BAKER: It is very good for a mirage—an outstanding mirage. I wish we had more mirages that produced such outstanding results as this venture. There will be 1 000 construction jobs during the expansion phase of the mining operations and the increased infrastructure and, of course, 200 further permanent jobs will be sustained due to that more effective and efficient operation. It is likely that exports will more than double from \$270 million during the current financial year to over \$600 million at the turn of the century.

The commitment by Western Mining is outstanding. It represents a great investment in the future of South Australia, in the future of young people and in job opportunities. Not only will we be producing that enormous amount of copper every year but there will be 3 700 tonnes of annual uranium production; some 75 000 ounces of gold; and some 950 000 ounces of silver. We believe that the future of the Roxby Downs mining operation is quite outstanding, and we congratulate Western Mining on its investment in this State. Importantly, as Western Mining has shown in the past, it intends to live up to all the environmental standards that will be required by both State and Federal Governments and will continue to be a good corporate citizen in relation to its responsibilities to the environment. We congratulate everyone involved for their investment in our future.

FERRIS, Ms J.

Mr ATKINSON (Spence): My question is directed to the Premier. Given reports that Ms Jeannie Ferris's eligibility to be elected a senator might have been compromised—

Members interjecting:

The SPEAKER: Order! The member for Spence has the call.

Mr ATKINSON:—by her being a citizen of another country—namely New Zealand—has the Premier seen a copy of Ms Ferris's declaration of renunciation of New Zealand citizenship; was it certified by New Zealand authorities before writs were issued for the last Federal election; and will the Premier provide evidence of this to the Parliament before tomorrow's joint sitting?

Members interjecting:

The SPEAKER: Order! The member for Unley.

Mr ATKINSON: Unlike the South Australian Constitution, the Australian Constitution prevents a person who is a citizen of another country from being elected to the Senate. Section 44(I) of the Australian Constitution states:

Any person who... is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power... shall be incapable of being chosen or of sitting as a senator.

The Hon. DEAN BROWN: The question is based around so-called alleged reports that this is the case—and where did those alleged reports come from: none other than Senator Nick Bolkus. Here is the Labor Party, throwing up a wild allegation and then trying to substantiate it by saying that it has 'alleged reports'. The Labor Party is without foundation on this—absolutely without foundation. It will go out and try to smear, fabricate or whatever just to create a media story. That is exactly what it is doing in this case.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: It did it with Tan Sri Loy and MBf over the Wirrina development and now it is doing it with Jeannie Ferris. It will do it with any single issue it possibly can. Talk about a positive Opposition; talk about a Leader of the Opposition who claims to have credibility. He has none: he is a man without clothes when it comes to credibility. As I said, the motion for Jeannie Ferris to be elected to fill the vacancy for the Senate will be put to a joint sitting of both Houses tomorrow, and I am very confident that it will be passed.

ROXBY DOWNS

Mrs HALL (Coles): Can the Premier say whether an independent study has been conducted on the economic impact of the expansion of Roxby Downs and, if so, will he outline the details of that study and the economic benefits to South Australia?

The Hon. DEAN BROWN: There has been an independent study of the effect of the expansion of Roxby Downs, which the Deputy Premier was talking about earlier, and its impact on jobs in particular in South Australia. This report was carried out by Barry Bergan from the Department of Commerce at the University of Adelaide. It shows that the multiplier effect of the expansion of Roxby Downs will create 6 700 new jobs in South Australia. It breaks that down by looking at the number of jobs created during the construction phase, which would be a total multiplier effect of 5 200 new jobs, adding \$330 million each year to the gross State product; and during the operation phase, when 1 500 new

jobs will be created, \$280 million a year will be added to the gross State product.

It also looks at the specific regions of South Australia where those jobs are most likely to be created: at Roxby Downs it is expected that 2 730 jobs will be created; at Whyalla, 940; Port Augusta, 590; and at Port Pirie, 70. Clearly the announcement by Roxby Downs that it will invest \$1.25 billion in taking production at Roxby Downs from 85 000 tonnes of copper a year up to 200 000 tonnes of copper a year is a major announcement and a major expansion for South Australia. What has amazed me is the absolute silence from the Labor Party on this issue, except for raising some questions about the environmental impact.

The Hon. M.D. Rann interjecting:

The Hon. DEAN BROWN: I am glad that the Leader of the Opposition has raised this point in the House, because I want to draw to the attention of the House the stance taken by the Leader of the Opposition, then known as Mike Rann, back in the late 1970s, when he strongly opposed Roxby Downs. Someone by the name of Mike Rann was called—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN:—chairperson on the Labor Party's Nuclear Hazards Committee. I am delighted the Labor Party is reacting on this: it shows how sensitive it is.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader of the Opposition!

The Hon. DEAN BROWN: Here is this Mike Rann, chairperson of the Labor Party Nuclear Hazards Committee that strongly opposed any mining of uranium in the whole of Australia. Furthermore, he produced a booklet under his name as chair of the committee that came out and very strongly opposed the development at Roxby Downs. In fact, there is an article in the Labor *Herald* newspaper of that period that is headed, 'Campaign says boycott BP.' Here is a letter to the *Herald* that says:

South Australia's campaign against nuclear energy is trying to persuade British Petroleum to pull out of the Roxby Downs venture. BP has a 49 per cent stake in this uranium associated venture.

He goes on and argues why in fact Roxby Downs should not proceed. The letter is signed by none other than someone with the name of Mike Rann.

I also found it very interesting that this same Mike Rann, when he was in the House of Assembly on 16 February 1988, had the gall to come out and say, 'I have never been a member of the campaign against nuclear energy.' We all know that that was an entirely incorrect statement, because the honourable member had been out there campaigning very strongly against nuclear energy and campaigning specifically against Roxby Downs.

Members interjecting:

The SPEAKER: Order! Displays are out of order.

The Hon. DEAN BROWN: Now that the Roxby Downs expansion has been announced, I invite the Leader of the Opposition to stand in this Parliament and tell this Parliament and the people of South Australia whether or not he supports Roxby Downs. Is he willing to stand up and repudiate his statement made back in the 1970s and 1980s?

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Is he now willing to admit once again that he was wrong on that occasion and that he strongly supports Roxby Downs?

KRAWTSCHENKO, Mr C.

Mr ATKINSON (Spence): I direct my question to the Premier. Will the Government, through the Attorney-General, use its authority under section 9 of the Director of Public Prosecutions Act to direct the DPP to appeal the sentence imposed last week on Mr Corey Krawtschenko on the grounds of its manifest inadequacy? Last week Mr Corey Krawtschenko was convicted of unlawful sexual intercourse with a five year old child and gross indecency. It was admitted that Mr Krawtschenko had made preparations for videotaping his crime and had done so. Mr Krawtschenko was sentenced to two years and three months imprisonment with a non-parole period of 18 months. Section 9(2) of the Director of Public Prosecutions Act provides:

The Attorney-General may, after consultation with the Director, give directions to the Director in relation to the carrying out of his or her function.

The Hon. S.J. BAKER: I think the member for Spence should perhaps correct the record. In fact, the responsibility for appeals lies in the hands of the Director of Public Prosecutions. That is the first point.

Members interjecting:

The SPEAKER: Order!

The Hon. S.J. BAKER: The first point is that it lies in the hands of the DPP. Secondly, it is my understanding that there is active consideration of the matter by the DPP at the moment, if not an announcement about to be made.

STATE ECONOMY

Mr BUCKBY (Light): Will the Treasurer inform the House of the latest indicators of the performance of the State's economy? The Australian Bureau of Statistics releases quarterly figures in gross State product. In the *Advertiser* of 13 July 1996 there was an article, 'Exports up but growth flags.' The article claimed that South Australia was lagging behind other States in terms of economic growth.

The Hon. S.J. BAKER: Yes, I was surprised when I read an article in the *Advertiser* of 13 July about the fortunes of South Australia. The article was positive to the extent that it recognised the dramatic increase in exports that had taken place up until the December quarter. It said that overseas exports reached \$1.441 billion in the March quarter, up 11 per cent from the \$1.075 billion in the December quarter. So, we have seen just in that quarter an expansion in the exports, and South Australia has led all States in terms of export effort.

One of the critical areas identified by this Government when we came into power in December 1993 was to say that the maximum effort had to be made on exports, and we had to throw off the restrictions on our domestic markets and the export of our goods to the rest of the world. We have certainly been assisted by our rural colleagues in this regard. Not only did they have a particularly fine season in terms of production during 1995-96, but they were rewarded for a change in the product price on international markets.

One thing that disturbed me was the fact that the growth that South Australia had achieved had been somehow written down or the figures had been misconstrued. In the *Melbourne Age*, it was quite clear that South Australia, in terms of its growth, was second to Victoria. With respect to annual growth up to the March quarter 1996, Victoria was 4.3 per cent and South Australia was 3.7 per cent. Indeed, the figures exceeded our own expectations. As Treasurer, I was delighted that again we have been conservative and again we have

actually beaten our own conservative estimates. We finished in front of Western Australia, New South Wales, Queensland and Tasmania.

So, it was another highlight on the South Australian economic calendar that our growth had been sustained during that period when we had some more conservative estimates. One of the other papers suggested that Western Australia had a good March quarter and was just catching up to the growth that had been achieved by South Australia. It is important to have some very strong, positive and bright news of which the State should feel proud, especially regarding the extent of our export effort. So many other parts of our economy have also picked up the ball and achieved well beyond our own expectations. So those items should be highlighted, because they are a tribute to the people involved and the investment made to reach those heights.

FERRIS, Ms J.

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the Premier. Why did the Premier and the Attorney-General of South Australia fail to seek an opinion from the Solicitor-General of this State about the eligibility of Ms Jeannie Ferris as a Senator for South Australia before a joint sitting of both Houses of State Parliament was called for noon tomorrow? In December 1977, when the Premier was a member of this Parliament, when the two Houses met to replace Senator Steele Hall, the then Government made publicly available legal advice from the Solicitor-General on issues affecting the joint sitting and the appointment. In answer to an earlier question about such advice, the Premier referred only to advice on Ms Ferris that the Liberal Party had received from the Liberal Party and not from the Government's own chief law officer.

The Hon. DEAN BROWN: First, the Leader of the Opposition has again jumped to a conclusion where he is wrong.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: He has a great propensity for standing up and making statements for which he has no foundation whatsoever. This afternoon is a classic example once again. Therefore, if the Leader of the Opposition will just have a touch of patience, when we have the joint sitting of the two Houses of Parliament tomorrow to deal specifically with this issue we will ensure that all is revealed to the Leader of the Opposition. I also point out to the Leader of the Opposition that I have before me a copy of the letter from the Governor-General of Australia to the then Governor of South Australia, Dame Roma Mitchell. I have a copy of a letter from Dame Roma Mitchell, as Governor of South Australia, to me concerning the vacancy.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I am afraid the Leader of the Opposition has just slighted Dame Roma. Dame Roma is a former—

Members interjecting:

The SPEAKER: Order! I name the Leader of the Opposition for continuing to defy the Chair. Does the Leader of the Opposition wish to be heard in apology or explanation?

The Hon. M.D. RANN: Absolutely, Sir. I apologise for interjecting again following your second warning.

The SPEAKER: The Leader of the Opposition has had repeated warnings. The Chair has shown great tolerance. In

view of the importance of the debate taking place tonight in this Chamber, the Chair will be more tolerant than it should be. I say to the Leader, and to those other members who continue to interject, that from now on Standing Orders in Question Time will be vigorously adhered to and no further explanations will be accepted. On this occasion I accept the Leader's explanation very reluctantly.

The Hon. DEAN BROWN: I further point out to the Leader of the Opposition, who has no patience and who also makes allegations for which he has no substance, as he made in asking this question, that he has slighted the former Governor of South Australia who happens to be a former Supreme Court judge of this State and a woman who, I assure the Leader of the Opposition, would not write any letter which she believed breached the law.

The Hon. S.J. Baker: And the Leader knows that.

The SPEAKER: Order! The Deputy Premier.

The Hon. DEAN BROWN: She has written to me in due terms indicating that there is a vacancy in the Senate. I point out that the Governor-General happens to be a former judge of the High Court of Australia. I ask the Leader of the Opposition to listen to a press statement issued by the Governor-General of Australia on 12 July, as follows:

Having received advice from the Solicitor-General of the Commonwealth, Dr Gavan Griffith, of the appropriate course to be followed, the Governor-General has written to Her Excellency the Governor of South Australia advising her, pursuant to the provisions of section 21 of the Constitution, that a vacancy has happened in the representation of the State of South Australia through the resignation of Senator Ferris.

Clearly, the Governor-General took advice from the Commonwealth Government Solicitor-General. Therefore, on one side we have the Solicitor-General of the Commonwealth and various QC opinions to the former member of Parliament involved and, on the other side, as I said, the only legal opinion we have is that from Senator Nick Bolkus, a political figure in the Labor Party whose statement would not stand up anywhere with any credibility whatsoever.

TELECOMMUNICATIONS CABLES

Mr CONDOUS (Colton): Will the Minister for Housing, Urban Development and Local Government Relations inform the House of the State Government's position regarding the rolling out of overhead telecommunications cables? A Senate inquiry is conducting hearings in Adelaide today into the installation of overhead telecommunications cables. Also, members may be aware of a pending public rally to be held at Parliament House by opponents of the cabling.

The Hon. E.S. ASHENDEN: I am delighted to put on the record exactly why we have a problem as far as the roll out of cables is concerned. The blame can be sheeted fairly and squarely to the previous Federal Labor Government, which sold its soul completely for \$800 million and gave the two operators, Optus and Telstra, absolute *carte blanche* to string their cables throughout Australia. I refer members to the wording of the Act passed by the previous Federal Labor Government. First, section 129(1) provides:

... a carrier may, for purposes connected with the supply of a telecommunications service:

- (a) construct a facility on, over or under any land; or
- (b) attach a facility to any building or other structure.

In setting out the carrier's powers and responsibilities sections 128 to 138 of the Act provide that the carrier may enter any land to inspect it, install, replace, repair and

maintain facilities and clear vegetation obstructing or likely to obstruct the operation of a facility.

We have a situation where the Mayor of Norwood—an endorsed Labor candidate—is trying to stir up a meeting on the steps of Parliament House at which, I understand, the Leader of the Opposition (better known as the 'Fabricator') will also speak. They will try to turn this around and blame what is happening on the South Australian Government. For members opposite who obviously do not understand, I make it very clear that Federal legislation completely overrides State legislation. Therefore, this State can do absolutely nothing in terms of controlling what the previous Federal Labor Government did in giving the power to those companies to do virtually what they like. I suggest to the Leader that, if he does speak at this meeting, he make it very clear that we have a problem for one reason and one reason only; that is, his mates in the previous Government in Canberra brought about this situation for a lousy \$800 million. The blame lies fairly and squarely with them.

Members interjecting:

The SPEAKER: Order! The member for Giles.

INDUSTRY COMMISSION REPORT

Mr FOLEY (Hart): Given the Premier's comment publicly last week that the Industry Commission was 'a bunch of wackers,' why did he, in Parliament last year, praise the Industry Commission's draft report on contracting out by public sector agencies? On 24 October 1995 the Premier in this House—

Members interjecting:

The SPEAKER: Order!

Mr FOLEY:—in response to a question from the member for Reynell praised the Industry Commission's draft report on contracting out because 'it endorsed what the South Australian Government is doing in the whole area of contracting out'.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I assure the House that my view is—and it has been for some time—that Australia would be better off without the Industry Commission. I believe that it does not carry out any useful purpose overall. I believe that, if we wanted to save taxpayers' money—and the whole nature of the report brought down by the commission last week was how to save taxpayers' money—the best way would be to abolish the Industry Commission in Canberra.

An honourable member interjecting:

The Hon. DEAN BROWN: Sure, it has brought out many reports. Occasionally it has to get it right but, on the majority of occasions, it certainly does not. I point out that this Government fought the Industry Commission for two years because it wanted to double the wine tax on our South Australian wine industry. I was opposed very strongly to the position put down by Bill Scates as Chair of that Industry Commission inquiry which wanted to increase the wine tax from 26 per cent, having previously been 20 per cent but increased by the Labor Party up to 26 per cent. He then advocated it should go up to about 52 or 54 per cent. My concern is that, for a number of years, Australian Governments have had no effective industry policy. It is the very reason why Australia has such a poor balance of payments record, why our exports compared with our imports are so poor and why our manufacturing industry has been losing jobs for the past 10 or 12 years.

This has occurred because of the lack of a suitable national policy on manufacturing and industry. Who must bear much of the responsibility for that—none other than the Industry Commission itself. Therefore, I believe that Australia would be better off without it. I believe it is far more appropriate that the Federal Government sits down and formulates an effective industry policy, especially to ensure that we have a manufacturing industry in this country, including a car industry. Therefore, I have no reservations in repeating the fact that I believe the Industry Commission in Canberra is no more than a bunch of wackers.

TELECOMMUNICATIONS CABLES

Mr CUMMINS (Norwood): Will the Minister for Infrastructure report to the House on the Government's current position on and estimated cost of undergrounding cables in South Australia? There has been recent concern in my electorate about the intended stringing of overhead cables by Optus using ETSA polls. In 1991, the former Federal Labor Government passed the Telecommunications Act to override planning, environmental law, local government law and State law to allow this to happen.

The Hon. J.W. OLSEN: First, we ought to underscore the point put down by the Minister for Housing, Urban Development and Local Government Relations; that is, the State Government is absolutely powerless in this matter. The Federal Telecommunications Act provides clear and forthright powers through to 30 June 1997 in relation to cable being rolled out in South Australia as elsewhere in Australia—full stop, non-negotiable.

Optus, Telstra and other carriers have clearly said to ETSA and other infrastructure bodies within South Australia, 'If you disagree, it does not matter; we are going to roll out the cable in any event.' They are doing so because under the Federal Act they have the deadline of 30 June next year for that roll-out before the regulations are reviewed. The former Keating Labor Government took into account \$800 million to enable this to happen. That is why it is happening: because of a deal that was put in place by the Keating Labor Government. We are therefore in the position that if we disagree they will roll the cable out anyway. It is most productive and appropriate for South Australia to get a commercial return for that, so that we can upgrade the undergrounding taking place in this State and give a greater degree of protection to those electorates and council areas that are concerned about the rolling out of cable in South Australia. That is exactly what we sought to do.

Although we have said that we would prefer they did not do that, they have said that they will and that if we disagree and cannot come to a commercial arrangement they will roll it out without putting in place any disbursements to South Australia and in due course will take it to an arbitrator to see what the State might be paid. Rather than run the risk of receiving little or no payment, we intend to get maximum payment from these carriers so that the \$2.8 million we are currently contributing toward undergrounding powerlines in South Australia can be expanded.

This Government has made a clear and specific policy commitment. All the net funds received from the roll-out of cable will go to dedicated funds for upgrading and expanding the undergrounding of cabling in South Australia. There is no revenue gain to the Government of South Australia or ETSA, but dedicated funds for the purpose of expanding undergrounding in South Australia. That is a responsible way to

protect the interests of South Australians. It is all very well for Senator Schacht to say, as he does on odd occasions, 'Well, we ought to underground everything in South Australia.' The cost of that is \$8 000 per household in South Australia. Do members opposite, including Senator Schacht, want to commit \$8 000 per household to underground cabling in South Australia, or do they want to proceed down the present path, instituted by the former Labor Government in South Australia and continued by the current Brown Liberal Government, where so far \$27.2 million has been committed to undergrounding in six years?

That has put South Australia ahead of every other State in Australia, where some 10.5 per cent of our cabling (of which there are some 72 000 kilometres in this State), or approximately 8 350 kilometres, have been undergrounded. That figure of about 10.5 per cent compares with the Australian average of only 6 per cent. Our policy and program are ahead of those of every other State in Australia. Our track record in respect of undergrounding is important. In response to the member for Norwood's specific question, to protect the interests of the Norwood area and other councils, where these cables are put on ETSA poles without our authority (and under the Federal Telecommunications Act they can do so without our authority), any funds received from the Norwood, Mitcham or any other council areas will be dedicated to undergrounding within that council area. So, that council will be the beneficiary of any funds obtained through the stringing out of cabling.

Mr Clarke interjecting:

The Hon. J.W. OLSEN: The Deputy Leader wants to dismiss 8 350 kilometres of undergrounding as if it were nothing. It is something. Does the Deputy Leader want to dismiss the 17 communities in South Australia that will benefit from this program this financial year, such as Norwood, Port Adelaide, West Torrens, Thebarton, Port Augusta, Port Lincoln, Bordertown and Kapunda? So the list goes on. Do the Deputy Leader and the Labor Party want us to cancel that program of undergrounding in those council areas? I bet they do not. It is with hypocrisy and forked tongues that members opposite talk about this issue. It is a good policy, which is achieving objectives. This Government has made a policy commitment that all net proceeds of cabling will expand undergrounding within South Australia.

INDUSTRY COMMISSION REPORT

Mr FOLEY (Hart): Given the Premier's response to my previous question that the Industry Commission is a waste of taxpayers' money, are a bunch of wackers and should be abolished, why did his Government recently appoint the Industry Commission to undertake a major, taxpayer-funded consultancy to review the structure of the State's electricity industry? Will the Premier now tell the House how much of South Australian taxpayers' money has been wasted on this bunch of wackers?

The SPEAKER: Order! The honourable member is clearly out of order by commenting.

The Hon. DEAN BROWN: It is clear that, whether we like it or not, Australia has a competition policy; a set of principles that have been put down publicly and agreed to by the Premiers. Although the Premiers have not been happy with the basis on which those competition principles will be judged and administered from Canberra, we do agree with the basic principles.

Mr Foley interjecting:

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

The Hon. DEAN BROWN: Who else would we appoint who would have standing in Canberra?

Members interjecting:

The Hon. DEAN BROWN: I disagree very strongly with the ACCC and the NCC and a number of the policies they have put down but, whether or not we like it, these are the bodies in Canberra, appointed by the previous Labor Government, that are administering these areas. These bodies were appointed by the previous Labor Government.

Members interjecting:

The SPEAKER: Order! The member for Hart is warned for the first time.

The Hon. DEAN BROWN: Therefore, whether or not we like it, we have to go along, based on the principles put down by your very own Paul Keating, who refused to adopt the position put down by the States. Therefore, we have no option but to make sure that we maximise the amount of money to South Australia; it is as simple as that.

Mr Clarke interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition will be removed from the call list today.

The Hon. DEAN BROWN: I point out that we did not even accept all the recommendations of the Industry Commission report, at any rate.

NATURAL HERITAGE FUNDING

Mrs KOTZ (Newland): Will the Minister for the Environment and Natural Resources explain the implications to South Australian community-based environmental programs if the partial sale of Telstra does not proceed? The Federal Government has pledged a maximum of \$1 billion to the environment as part of its Natural Heritage Trust of Australia Bill. My constituents would like to know what level of this funding will go to community groups to aid locally driven initiatives and what will occur if the Telstra sale does not proceed.

The Hon. D.C. WOTTON: I thank the member for Newland for what is a most important question, which is being asked by a significant number of people in this State. I get an enormous amount of representation on this matter and how the community can ensure that this legislation passes. I would suggest that the community as well as the environment will be the big losers if this once in a lifetime opportunity does not proceed. It is quite clear that environmental initiatives will succeed only if they are community driven. I suggest that that is why this Government has had so much success in the environment area—because we have been able to bring the community with us.

The community is very keen to support environmental initiatives in this State. We need only look at the growing number of people actively involved in projects that range from land care, coast care and river care to realise that, without community backing, those projects will be able to run at only half pace. My big fear is that these environmental projects will lose considerable momentum and South Australia will lose a valuable network of committed people if they are starved of funding through current opposition to the partial sale of Telstra.

The Natural Heritage Trust includes many key initiatives that the South Australian community can tap into, and I should like to refer to two or three of them. They include a share of \$318 million under the national vegetation initiative

to ensure that the rate of vegetation establishment exceeds the rate of clearance. This initiative will dramatically increase funds to community activities in South Australia, building on the work of Save the Bush, One Billion Trees, Corridors of Green and many others. It will provide much needed resources to community networks, Landcare groups and local government, and I hope that the Opposition supports all those programs.

Not only will we receive a share of the \$150 million towards the Murray-Darling 2001 project, which is the most important program in this State as far as the environment and the people of South Australia are concerned, but also we will gain a share of \$85 million for river care in general, as well as a sharing in the \$8 million allocation for the national wetlands program and \$13 million for fish regeneration. There is an \$80 million pool for a much-needed national reserve system and an extra \$16 million for the endangered species program, and a feature of these programs is that they will encourage communities in South Australia at the grassroots to become involved in the conservation of threatened species and ecosystems. I could go on to list other programs, including \$279 million in additional Landcare funding and property management planning, increasing substantially the support for the development of community initiated and managed projects on public and private land.

Mrs Kotz interjecting:

The Hon. D.C. WOTTON: As the member for Newland said, this is all relying on the sale of part of Telstra, and that is why there is such significant support in the community for this Federal legislation to pass. There will be \$100 million to work with the community in a range of Coasts and Clean Seas initiatives, targeting marine systems as well as pollution and marine degradation. If the part sale of Telstra does not proceed, not only will we lose a vital chance to accelerate our approach to environmental issues but in particular we will stand to lose the momentum of huge networks of community groups. If that occurs, this State—our environment, our landscape, our oceans, our parks and our biodiversity—will suffer significantly.

This is a once in a lifetime opportunity. Future generations will condemn us if we do not allow this to proceed. For many years, conservation groups have been calling for the Government to put the environment before the economy. With \$1 billion being diverted into the environment through the part sale of Telstra, we have the chance to do just that, and the community is very much behind it.

STURT CREEK

Ms HURLEY (Napier): Following statements from scientists that the plan to discharge the Sturt Creek at West Beach will threaten the State's aquaculture research and development programs, will the Premier direct the Minister for Housing, Urban Development and Local Government Relations that plans to divert the Sturt Creek are not to proceed? On 18 March, the Premier announced that by the year 2005 fish farming will earn \$300 million annually and that the new aquaculture strategic plan included the development of a marine technology park at West Beach. On 8 July, the Premier announced that South Australian waters would be restocked with King George whiting as part of a research program supervised by SARDI. Scientists say that the aquaculture research carried out at SARDI requires a guaranteed supply of clean seawater and that plans to

discharge the Sturt Creek at West Beach would pollute the institute's source of seawater.

The Hon. E.S. ASHENDEN: Let me lay some of these furrphies to rest straight away. The honourable member has absolutely misquoted the report from SARDI. As the honourable member full well knows, a process is presently being undertaken whereby reports are being prepared, responses to those reports are being prepared and reports from various Government instrumentalities are coming in. When all those reports come together, we will be in a position to make a decision, and it will be made in the best interests of Glenelg, West Beach and the State of South Australia. The one thing that I would urge Opposition members to do is to be honest when they quote from reports.

Mr Clarke: Just give us straight answers.

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

Members interjecting:

The SPEAKER: Order! If I knew who the honourable member was who just interjected, he would get a first warning, too. The Deputy Leader of the Opposition is fully aware of what the Chair has said today. He knows the consequences of being named again—four days.

MENTAL HEALTH SERVICE

Ms GREIG (Reynell): Will the Minister for Health inform the House of any measures the Government is taking to increase the range of accommodation options for people with a psychiatric illness?

The Hon. M.H. ARMITAGE: I thank the member for Reynell for her question about a particularly important and sensitive issue, and it is with great pleasure that I am able to announce today that Adelaide-wide accommodation services for persons suffering from a mental illness will be improved under a \$1.8 million deal between the State Government and the Port Adelaide Central Mission.

In the past, the South Australian Mental Health Service has managed numerous group homes throughout metropolitan Adelaide, but now, under the \$1.8 million deal, the resources will be redirected to the mission to continue the process of expanding the accommodation options of people with a mental illness and to focus non-government sector involvement in mental health services. At the end of a tender process, the Port Adelaide Central Mission won the tender to manage 26 houses with a capacity for 57 residents and to employ 10 full-time equivalents to provide support services for people in a range of accommodation. The three-year agreement involves \$500 000 in recurrent funding and \$300 000 in capital funding.

An absolutely critical factor in enabling those amongst us with a mental illness to live successfully in the community is to ensure that those people are able to access as wide a range as possible of accommodation and support to cater for every clinical phase of their illness. Under this agreement, the mission will provide suitable housing and support staff, including, very importantly, home support such as cleaning, cooking, help with shopping, and so on—all those everyday things that enable people with a psychiatric illness to be in the community. In the deal, the Government will provide sufficient community mental health support to the people in this range of accommodation.

We expect the mission to take over housing control in September, and it is a very good example of the Government working to involve the non-government sector in mental

health service provision. As members would recognise—certainly those on this side of the House—the non-government sector contains experts in community housing. It also runs a wide range of employment, educational, recreational and social activities, and the Port Adelaide Central Mission, in particular—and I give it full credit—has been an absolute leader in this area in developing programs, particularly for young people.

The Hon. D.C. Wotton: Fantastic!

The Hon. M.H. ARMITAGE: As the Minister for Family and Community Services says, the Port Adelaide Central Mission does a marvellous job and has done so for about 70 years. The Port Adelaide Central Mission has provided accommodation support services for a wide range of people. This formal agreement with the non-government sector has two major benefits: first, it expands the range of options available to consumers and, in doing so, it helps to increase their support networks; and, secondly, it involves the wider community in responding to the needs of those with a mental illness.

As members of this House have heard me say many times before, it is imperative, as we move into the twenty-first century, that we cast off the shackles of stigmatisation. We as a Government are responding to the aspirations of people with a mental illness and their carers; we are improving community housing and support for people with a mental illness, and this is one concrete example of our continued progress to mental health reform.

HOUSING TRUST RENTS

Ms HURLEY (Napier): My question is directed to the Minister for Housing, Urban Development and Local Government Relations.

Mr Brindal interjecting:

The SPEAKER: Order! The member for Unley is warned for interjecting.

Ms HURLEY: What are the maximum, minimum and average rent increases payable under the Government's new market rents structure for Housing Trust tenants? Notices of increases are now being sent out to full rent paying tenants of the South Australian Housing Trust.

The Hon. E.S. ASHENDEN: I have the information that the honourable member seeks. As she has indicated, letters were sent out in the middle of this month advising tenants of the market rent of their property. The figures are as follows: first, excluding Aboriginal housing, there are 12 427 full rent payers, of whom 7 311 have a rent increase at an average of \$10.11; and 5 116 have no change in rent because it is considered that the rent that they are paying is already comparable to private sector rents. When we include Aboriginal housing, there are 13 117 full rent payers, of whom 7 959 have a rent increase at an average of \$12.96 and 5 158 have no change in rent. For Aboriginal housing only, there are 690 full rent payers, of whom 648 will receive a rent increase at an average of \$27.82 and 42 have no change in rent at all.

I want to make very clear that, with the rent increases, if by any chance the amount that the tenants are required to pay is in excess of the percentage that is set as the maximum to be paid out of any wage, immediately those tenants will become eligible for rental subsidy or rental assistance. It is only those tenants on the highest incomes who will be affected in the way that the honourable member has pointed out. I stress that, if there is to be any hardship, if the rent is

in excess of 25 per cent of income, immediately those tenants will be eligible for rental assistance.

EMPLOYMENT, TRAINING AND FURTHER EDUCATION DEPARTMENT TENDERS

Ms WHITE (Taylor): How does the Minister for Employment, Training and Further Education respond to allegations made by at least one unsuccessful tenderer for a Department for Employment, Training and Further Education contract for the supply of general stationery, computer consumables and paper? A letter to the Minister signed by the State Manager of Specialist Computer Supplies expresses 'concerns about opportunities being granted to some tenderers while being denied to others'. That company has questioned the tender selection process and inequitable opportunities for price negotiation, and asserts that the successful tenderer was a company that lodged a late tender after the time for close of tenders. The company asserts that the tender was based on the evaluation criteria outlined in the tender document but that it has now been told by the department that different selection criteria were in fact used: had this be known to the company when it submitted its tender, the tender would have been different. The company further expresses its concern that as a South Australian company—

The SPEAKER: Order! The honourable member is clearly commenting. Leave is withdrawn.

The Hon. R.B. SUCH: I thank the member for Taylor for her speech. I am aware of that matter. The company concerned has written to me. I do not become involved in the detail of the tender process; I do not believe that it is appropriate. I have asked the Chief Executive to report back on the allegations made by that company.

PIG INDUSTRY

Mr LEWIS (Ridley): My question is directed to the Minister for Primary Industries. What progress is being made in establishing a task force for the development of the pig industry and other intensive animal industries in the Murraylands?

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: I thank the honourable member for his question and acknowledge his efforts to increase economic activity in his electorate. It is currently estimated that the pig industry of South Australia is worth about \$110 million at farm gate. There is enormous potential to double that if appropriate investors can be attracted by implementing the right guidelines.

The pig industry in South Australia does need direction and I have commissioned the development of new intensive piggery guidelines which will be developed by a selected task force to be run out of PISA. The guidelines will give investors and existing pig producers greater confidence to proceed with intensive pig development, providing producers, consultants, investors, and local government and State Government bodies with a clear set of issues to assist in streamlining the sound environmental development of the pig industry.

The need for a code of practice for the establishment and operation of intensive piggeries has been recognised by the Farmers Federation, the Environment Protection Authority and the Murraylands Regional Development Board. Together with PISA, they have formed a management group which has

generated funds to undertake the development. This initiative should remove the multiple approval processes, high compliance costs, and possible confusion and inefficiencies in the regulation process. Industry and public consultation and comment is a high priority for the task force and we hope to have the final report by the end of this year.

FRIENDLY SOCIETIES (OBJECTS OF FUNDS) AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

FIREARMS (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House the appropriation of such amounts of money as may be required for the purposes mentioned in the Bill.

GRIEVANCE DEBATE

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

Mr QUIRKE (Playford): I want to draw the House's attention to some of the remarks the Premier made during Question Time today when he was asked a dorothy dixer about the expansion by Western Mining of the Olympic Dam operations. In this House we are getting used to being blamed for everything from bad weather all the way down.

Mr Cummins: With justification.

Mr QUIRKE: I suggest that the member for Norwood should not yell across the Chamber on such an important day as this and should reserve his activity for electricity poles in his electorate. What the Premier said here today is that we do not support that expansion at Roxby Downs. Let me dissuade the world of that: we do. The other point is that, because the Leader of the Party had some reservations about uranium mining some 15 years or so ago, as did people on both sides of this House, that is now being dragged out every time the Premier wants to make a statement. If that is the way members opposite want to do business around here, that is fine by us. I just want to explain a couple of facts of life to the Government.

First, mining in this State has been, is, was until today and I hope will be in the future, a bipartisan arrangement. I have accompanied the former Minister for Mines and Energy in the Brown Government on a number of very useful, although not necessarily pleasant, sojourns into the bush, where we have actually seen a number of projects move ahead in the interests of this State. I would also suggest that further down the corridor one of the other Parties that has some numbers in the other place is not nearly as mindful as the Labor Party of the importance of mining. So, if the Premier wants to come in here and belt us around the ears every day during Question Time about our not supporting things that we do support, he is putting himself in the position of the little boy who cried wolf once too often. We may well turn out to be that wolf.

Let me assure the Premier that until the next State election, and I believe well beyond, he will need our support in a whole range of different ways, and the way he has been going about it recently he will not get it. I have never until

today made any comments about the bipartisan approach to mining in this House, but I am sick of having cheap political shots made by someone who just cannot keep his troops together seeking to put the blame on someone else. He also did that on electricity. The Labor Party actually supported the electricity Bills that went through this House. We got belted in here, we got belted in the media and we got belted everywhere. In fact, I think the Premier was genuinely disappointed that we supported him on some of these Bills. I must say that, if that is his attitude, he may not be as disappointed in future.

In politics I have always practised what to me is the most important goal: that is, what you get at the other end; not the rhetoric in the process, but the outcome. If he wants to belt us around the ears for sins that we have not committed, then he had better understand that that will have certain implications for what we will and will not support. And on his head be it. If the bipartisan approach to mining in this State is ripped up, it will be because of his work, because of his inability to work with other people in this State—as we will see later this afternoon in the firearms debate. He is never home for any consultation with any of the groups.

The ACTING SPEAKER (Mr Lewis): The honourable member cannot pre-empt debate on any question.

Mr QUIRKE: I thank you for your guidance, Mr Acting Speaker. I am not bringing on that debate. I believe that this person—and I do not need any suggestions about it from other members—has ripped up sensible arrangements.

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

Mr BRINDAL (Unley): I am here to inform Her Majesty's loyal Opposition today that the rumours of my death have been greatly exaggerated. Over the past few months on an almost daily basis members opposite have referred to 'the independent member for Unley'. Obviously, members opposite knew that I, along with you, Sir, the Speaker and a number of other people were facing preselection battles. Members opposite need to understand that in the Liberal Party we do not believe that any parliamentarian deserves a sinecure. Therefore—

Mr Clarke: That's not what you were telling us before Sunday.

Mr BRINDAL: The member for Ross Smith has to get it right. Most of us try to do a good job. We perhaps would like to have a sinecure, but the fact is that our rules do not allow us to have one. We might like our jobs to be as secure as those given out by the Trades and Labor Council, Trades Hall and the various masters we do not know that members opposite answer to, but unfortunately we do not have that privilege. I can fully understand how worried my friends on the Opposition benches were for my survival. I can really understand the depth of their concern, because they have a right to be concerned. That is the same Party which, when it sat on this side of the House (you would remember, Sir), was going to save Terry Groom and Colin McKee. And where are Colin McKee and Terry Groom now?

Mr Clarke interjecting:

The ACTING SPEAKER: Order! The Deputy Leader knows the consequences.

Mr BRINDAL: We did learn the lesson well. I must admit that biblically I might have been referred to 'Thomas' when our Premier said that he would support all sitting members. He did not do it in the last five minutes: the Premier said at about last Christmas that he would support all

sitting members. I may well be referred to as 'Thomas', because I understand the rules of our Party and understand something of the membership of our Party. It is very difficult for anyone in our Party actually to coerce and influence people unduly. The Premier has an opinion—

Mr Venning: Not 'doubting Thomas'?

Mr BRINDAL: Yes, 'doubting Thomas'. The Premier has an opinion, but even the Premier's ability directly to influence is limited in our Party. But the Premier did say quite fearlessly and quite bravely that he supported his sitting members. Last Sunday I was pre-selected as the Liberal member for Unley. The Premier had given the Party an opinion; that was supported by the State President and the result that both the State President and the Premier sought was delivered by the Party.

Members interjecting:

Mr BRINDAL: I do not know the names of people on my college. There may well have been a Joan or two on the college, but I am not aware. I will look through the list and try to tell the honourable member how the people on the college voted, if that is his desire. Frankly, it is a private and confidential vote, and I do not think there was anyone of that name.

Members interjecting:

Mr BRINDAL: I am not pining away over this, believe me.

Members interjecting:

Mr BRINDAL: They taunt me, Sir, and they should not.

The ACTING SPEAKER: The member for Unley should not invite taunting.

Mr BRINDAL: I will not, Sir. I will take your advice. Members opposite know that there were people in Unley who wanted to contest my preselection—and they had a right to do so. Members opposite know that I have been outspoken on a number of social issues. Members opposite know that not everyone agrees with the stance I have taken. The member for Spence, for whom I sometimes have some time, has been quite outspoken in his criticism of me on a number of social issues. Can he blame some of my Liberal members for being equally worried and for wanting to test my veracity to represent the Parliament? To turn it into some internecine warfare is beyond comprehension.

Members interjecting:

The ACTING SPEAKER: Order!

Mr BRINDAL: I refer members to the very strange article by Alex Kennedy in the City Messenger paper: she appears to take the stance that the Premier was wrong for supporting his members because the Premier should have split his Party asunder and not supported his members. I commend to every serious student in South Australia that article by Alex Kennedy—it is the biggest load of political nonsense I have ever read in my life. Her proposition is absurd, her conclusions are even more puerile and she does not bother to deal in fact. If that is what purports in this city to be serious political comment then I suspect we should get some new political commentators. It is one of the most ridiculous articles I have ever read.

I wish to announce to the House that the Premier supported me in the preselection, openly and honestly, and so did the President of the Party. So all this nonsense that members opposite drivel on about day after day about factions in the Party are rubbish.

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

Ms STEVENS (Elizabeth): I draw members' attention to an article in the City Messenger this week entitled '250 patients lodge complaints over treatment with State Ombudsman'. The first paragraph of the article by Bernard Humphreys states:

Surgical mistakes, incorrect diagnosis, rude treatment and failure to provide proper medical assistance are among the complaints more than 250 patients have lodged with the State Ombudsman's office this year.

I also refer to a letter which was written to the Leader of the Opposition and which concerns treatment at the Queen Elizabeth Hospital. It states:

Dear Sir,

Following on from my conversation per telephone with your secretary at about 7 p.m. on the 10 July 1996, I am writing to give you a few facts about a matter that Dr Armitage said on Channel 9 television service on the 10 July 1996. The matter was regarding anaesthetists at the Queen Elizabeth Hospital, that there was a shortage of trained specialists, but it did not create any danger or problem to any patients at the hospital. Let me give you an example to contradict Dr Armitage.

My mother-in-law was a patient in this hospital and had an operation on her back, a laminectomy, on Thursday 4 July 1996 during the morning. My wife and I went down to see her on Friday 5 July and during this visit my mother-in-law told us that during that morning she had pulled at least three feet of cotton wool gauze from down her throat which was 24 hours after her operation. I believe that this particular operation is carried out on the person's stomach and the air tube is packed into the patient's throat so it won't fall out.

The anaesthetist concerned came into my mother-in-law the next day and apologised to her saying that somebody had failed to take out the cotton wool gauze. So what we had expected was that my mother-in-law could have possibly had complications with her heart, but could quite easily have choked to death because of negligence. Other aspects of my mother-in-law's stay in hospital were a blood stained pillow which was not changed for three days; she did not receive a wash or sponge of any sort for three days; and her teeth were not cleaned for three days.

My mother-in-law was discharged from this hospital and was flown home by air ambulance. I did not wish to get my mother-in-law's name involved in this matter, nor do I want my own name mentioned. However, the whole family believes that this situation was very drastic for any patient to be in and we are going back to what is happening in third world countries. We believe that you really cannot blame staff members as much as the whole hospital system—but this is still no excuse for negligence.

I will write to that person and suggest that they make a formal complaint to the State Ombudsman.

I will again refer to the issue of anaesthetists. As we have stated over the past couple of weeks and as the Minister has acknowledged in an interesting way there is a shortage of anaesthetists in South Australia. There is a national shortage—I agree—and the Minister mentioned a figure of 61 nationally. But we know that 10 out of that 61 come from just two hospitals in South Australia, so 17 per cent of the national shortage is centred on two hospitals in Adelaide: the Lyell McEwin Hospital and the Queen Elizabeth Hospital. We know already that anaesthetists at the Queen Elizabeth Hospital are saying that patient care is at risk and anaesthetists at the Lyell McEwin Hospital told me that they are pushing the limits of safety.

Today on the radio the Chief Executive of the Health Commission said it was up to each hospital's management to look after and pay anaesthetists. Why is there such a problem at these two hospitals? I will tell you why—three reasons: savage cuts; a huge amalgamation which has caused chaotic management; and an enormous privatisation exercise. All three things are happening at once in an incredibly short time frame. These hospitals, particularly the Queen Elizabeth Hospital, are in a state of chaos largely brought on by this Minister and this Government.

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

Mr VENNING (Custance): I rise in support of the activities of the Australian Broadcasting Commission, particularly in regional South Australia. As a country member, I wish to pay tribute to the ABC for the magnificent service it gives country people where often there is no alternative. The ABC aims to make its services available to all Australians, no matter where they live. ABC Television is available to 99 per cent of the Australian population through some 63 transmitters. The ABC's commitment to regional areas is demonstrated by the fact that since 1987 the number of staff devoted to regional radio in South Australia has significantly increased while at the same time the number of staff employed in Adelaide has fallen by nearly 20 per cent. That is a fact I recognise and appreciate.

The local ABC service offers a blend of comprehensive local, State, national and international news, current affairs, and sport and entertainment programming, keeping listeners up to date with what is happening in the world through five staffed stations and 26 transmitters. The ABC has made use of satellite technology to make available 5CK programs (these are the programs closest to me) to remote communities such as Leigh Creek, Roxby Downs and Yalata through a network of transmitters. Remote station owners can also install their own satellite dish and receive regional radio, radio national, ABC classic FM in stereo and South Australian ABC TV direct from the satellite. That is a fantastic service, and this is why I am concerned about recent reports.

The strength of regional radio is its localism. The audience want and need to know what is happening in their local community and region and the local ABC regional station provides the most comprehensive coverage of news and information available. This has been made possible by placing more broadcasters in regional stations to provide local programs at the most accessible times of the day. I want to pay tribute to the many people involved, particularly Ian Doyle, who manages ABC rural radio in South Australia.

There are now 32 full-time staff and 20 casual staff providing over eight hours of live radio daily (Monday to Friday), plus four hours on Saturday mornings and five hours statewide programming specifically tailored to meet the needs of a South Australian regional audience. At other times regional stations broadcast the ABC's national programs including the news, current affairs, A.M., P.M. and the World Today. The Country Hour and rural reports in the breakfast program provide critically important rural information on the seasons, primary industry developments and market information that has repercussions on all regional economies. The vital point is that, in many regions of South Australia, ABC TV is the only service available, and ABC rural radio is often the only specific regional program available, and 5CK has the widest reception area of any radio station in this State.

However, the big negative is the perceived political bias of the ABC's political department, and its vindictive attitude to the right of centre politics. We all expect Australia's national public broadcaster to be totally politically impartial. I am certain that most Australians would agree with that. Even blind Freddy would know that that has not always been the case, especially over the past five years. I am fully aware of my own bias but, in respect of fairness and equity, I believe that the ABC's Federal political department has been one-sided in its reporting. I do not mind a reporter putting a

strong point of view on air, but we must also have the contrary point of view broadcast by our national public broadcaster.

Be that as it may, I am very disappointed that the majority of the ABC's activities—activities we are very pleased with—may pay the price for some of its minority wayward political reporting. Why the vast majority of the ABC staff allow this controversial minority to presumably carry on in this way, I do not know. It really disappoints me. The Federal Government is under great pressure to fill the large gap left by the previous Labor Government. All these departments are under scrutiny, and one cannot blame the Government for not being particularly sympathetic to some areas of the ABC. We are all very politically realistic in this place, and I hope that all the positive things the ABC does—about which I have spoken today—will be allowed to continue. I congratulate the ABC on providing a very worthwhile service. Along with the rural constituency of South Australia and Australia, I record my appreciation of the ABC, and I hope that it is allowed to continue.

Mr ATKINSON (Spence): I rise to mourn the death of King Albert, King of England, Scotland, Ireland and, of course, Bavaria. His Royal Highness, commonly known as Duke Albrecht of Bavaria, died in Munich recently, aged 91. He was the head of the Royal House of Bavaria, the House of Wittelsbach. He was also the lineal representative of the Royal House of Stuart, and was regarded by latter day Jacobites, such as I, as King Albert of England, Scotland and Ireland.

Albrecht was born in Munich on 3 May 1905, the second son of Prince Ruprecht of Bavaria. It is well to say at this point that, in my view, Britain's legitimate royal family, the Stuarts, were deposed in 1688 because the then King, James II, sought to extend religious tolerance to British Roman Catholics and nonconformist Protestants. Parliament opposed religious tolerance. It believed that only worship in the Church of England should be lawful. By the narrowest of majorities, Parliament voted to depose His Majesty James II and install the usurper, William of Orange, who was married to a Stuart. Parliament arrogated to itself the right to choose the monarch. In doing so, in my opinion the majority of members of Parliament at that time smashed the British Constitution, put a foreigner at the head of their revolution, and broke their oath of loyalty to James II. So, it seems that Parliament now has the authority to put anyone it likes on the throne, a point which should not be lost on members of Australians for Constitutional Monarchy, an organisation I could not in good conscience join.

The point was well made by Professor Wilfred Prest of the Department of History of the University of Adelaide in a letter to the *Adelaide Review* of November 1994 when he wrote:

The substantial point underlying the genealogical details is that the doctrine of indefeasible hereditary divine right monarchy sustained mortal damage at the glorious revolution. In its place succeeded a more pragmatic view earlier epitomised by the scholarly lawyer/politician, John Seldon, who wrote, 'A King is a thing men have made for their own sakes, for quietness sakes, just as in a family one man is appointed to buy the meat.'

Returning to King Albrecht, as he is known to Bavarians, and King Albert to us, his family was forced to flee Bavaria by a communist revolution in 1918 and they sought refuge in Hungary. According to an obituary in the *Weekly Telegraph*, Crown Prince Ruprecht, King Albert's father, was a much loved figure in Bavaria where many regarded him as King,

but several attempts to restore the monarchy to counteract the growing influence of Hitler were frustrated.

During the 1939-45 war, Ruprecht had to go into hiding in Italy, but his wife was captured and sent to Buchenwald where she was cruelly tortured. She never recovered from her injuries and died as a result of them in 1954, one year before her husband. Albrecht succeeded his father as head of the royal house in August 1955, but was of an altogether more retiring disposition. Albrecht and his family had sought refuge in Hungary during the war but were captured by German troops in 1944 and held in prison camps, including Dachau, and were finally interned in the Tyrol, according to the excellent obituary in last week's *Telegraph*.

I am told that King Albert's last important public appearance was in May 1995 at a great gathering of European royalty in Munich to celebrate his 90th birthday. King Albert is succeeded by his son, King Franz, or Francis, who ascends to the entitlement of the Stuart line. In conclusion, I should add that a requiem mass for the repose of the soul of King Albert will be celebrated at St Aidan's, Hindmarsh, this week.

Mr MEIER (Goyder): I was very pleased that last week, on Monday 15 and Tuesday 16 July, the Liberal Council Rural Executive toured the major part of the electorate of Goyder, in particular, Yorke Peninsula. Under the Chairmanship of John Dawkins, some 12 persons were engaged in the tour, although one person was able to be with us for only a short time. I must thank all those companies and businesses which put themselves out to receive the executive and to show us around the various aspects of their particular business.

We started with Golden Plains Fodder, situated just out from Paskeville. This company did not exist just over two years ago, but it is now producing fodder and, in particular, compacted hay for the Japanese market. It has constructed some massive sheds, and it is processing many thousands of tonnes of hay per year, sending it direct to Japan. Certainly it is a real boost to Yorke Peninsula, although the company also obtains hay from as far afield as Kimba on Eyre Peninsula. It is certainly not the only hay producing firm in my electorate but it is the newest processing firm, and I wish it well in its endeavours.

We then went on to Australian Food and Flora, which is very much the brainchild of the Yorke Regional Development Association. This enables farmers to grow flowers from Australian plants and take them to a central spot for processing. Who would have thought a few years ago that farmers would have been engaged in flower growing? I for one would not have. The fact is that, while 40 or 50 farmers were engaged initially, some 100 farmers surrounding Kadina are now growing flowers, and they are being processed centrally. Those flowers are being exported to many parts of Australia and overseas—again, a new rural industry that I must acknowledge and congratulate on its success. I particularly thank Caroline Graham for her work both in the early stages and for overseeing it now.

We then went to an ostrich farm between Kadina and Wallaroo owned by Barry Schultz. Again, ostriches are something of which we will see much more in Australia. I do not think most people would appreciate the amount of work which goes into running an ostrich farm, and they certainly would not appreciate the potential profits. That farm is well under way and it was a pleasure for us to look at it. Wallaroo CBH (Cooperative Bulk Handling) was the next area we visited, and I acknowledge Reid Toogood who is the new

manager of CBH at Wallaroo. We should all appreciate the importance of the grain industry for South Australia. Tonight in Maitland there is a public meeting to ascertain what port may become the deep sea port (or ports) for South Australia. Whilst Port Giles is the preference of the deep sea port committee, one cannot forget Wallaroo or Ardrossan. I am very disappointed that I will not be at that meeting but, because of the legislation before us tonight, it is just not possible.

We finished up that day by looking at the irrigation system for the Maitland golf course. They collect virtually all the town's run-off water and use it to irrigate the golf course. So, from now on, it will be green all year round. It is a massive project involving many hundreds of thousands of dollars. It is a real compliment to the Maitland community and to all those involved, from the council through to the members of the golf club, for the way in which they have undertaken a massive venture which, hopefully, many other towns in South Australia will imitate by collecting water in a similar way to Maitland.

SELECT COMMITTEE ON YUMBARRA CONSERVATION PARK RE-PROCLAMATION

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

That the time for bringing up the committee's report be extended until Thursday 1 August.

Motion carried.

FIREARMS (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 July. Page 1922.)

Mr QUIRKE (Playford): Some people may say that this is the main game or the main Bill. For the past two months I have had a large number of representations, phone calls and meetings. Today is at least one of the ultimate thresholds before this Bill, in whatever shape or form, passes through this House and goes further down the corridor. I begin my remarks by referring to the events of Sunday 28 April. Not only shooters but everyone in this country would remember those events very well. I guess every one of us has different images of that day. I can only speak for myself. I remember quite clearly where I was when I heard the radio broadcast. It was 4.30 in the afternoon. I had just been to a playground with my two middle sons for a couple of hours. I was touched very strongly by the media images of the young woman with the six-year-old and the three-year-old children who were murdered at the gatehouse.

Port Arthur is a place which I have been to on at least 15 occasions—I always go there every time I visit Tasmania. I was particularly saddened and moved by that incident more than any other. I apologise to the other families and to the South Australian families who lost love ones, but I believe that the incident which occurred at the gatehouse at Port Arthur encapsulated the absolute wickedness of this crime. I believe that incident captured the imagination of the nation. Quite frankly, as a father of similar aged children, I was absolutely horrified and, at the same time, mystified by this terrible crime. I know that I am limited today in speculating about the perpetrator and whatever motivated that person to do what he did.

The community feels so strongly about these types of crimes because, first, they are absolutely helpless when it

comes to trying to stop them and, secondly, they just do not understand why they occur. Every night when we turn on the television we see a series of television dramas, police dramas and movies which all have one underlying theme running throughout them—good versus evil. Sometimes the cops may have some evil amongst them, but generally it is the cops versus the robbers, the cops versus the murderers or some other person who has committed a rational crime. Our community finds it almost impossible to come to grips with an irrational crime not only of this magnitude but of this type. Should we use more severe forms of punishment in the future? If that were the answer—and I have certainly heard it from many people—I would embrace it.

I must say, as a person who has not supported the death penalty for many years, for some time after this incident in Tasmania there was one person for whom I would have made an exception. However, I do not believe that that is the answer, either. For my mind—and I am sure that of most of the community—the whole problem with this crime is that it escapes any logical or rational application of thinking in respect of what measures we need to take to prevent something similar happening in the future. In many ways, the whole Port Arthur experience illustrates the need for strict firearms control.

I now refer to some of the lessons to be learnt from the Port Arthur experience. The first mistake many people have made is that they believe that good law can be made simply on the basis of what happened at Port Arthur. The next mistake they have made is in thinking that there are one or two easy resolutions—well and truly illustrated by the Port Arthur experience—and that this should mean the be all and end all of firearms law in this country. That is not correct. The Port Arthur experience, as horrible and as graphic as it was, illustrates but a few points in terms of the necessity for effective firearms law in this country.

The first message from Port Arthur is that we need to have—and I have said this in this place before—effective firearms laws to prevent, as far as is humanly possible, certain types of firearms, if not all firearms, from falling into the hands of people such as the perpetrator of the crime at Port Arthur. I say 'as far as is humanly possible' because in this country there are millions of firearms. Some of those firearms have been in this country for all the years of European occupation, and some of them have been in the same family for many generations.

For many years I have been less than satisfied with Tasmania's response to gun control. It has always seemed to me that Tasmania has not understood that it has some basic obligations to its citizens. I make no apology for the fact that 4½ years ago in this House I defended the concept of firearms registration. I believe in firearms registration. I also believe that Tasmania should have done it before now and that it should have had a licensing system in place long before it did, and I believe that Queensland should have done the same.

After the New South Wales experience in 1988 that State lacked the political courage to proceed to basic and essential gun control legislation, namely, registration. Some people believe that registration is not necessary or as effective as it should be. I acknowledge that in many instances the registration has not been done properly or has been recorded inaccurately. One would hope that in this regard the police will redouble their efforts and assure a far greater accuracy than has been achieved previously. But, at the end of the day, I believe that we owe registration particularly to police officers who are called to scenes of domestic violence or to

homes at night on other matters: they can check by computer whether firearms are present and whether the person is licensed to hold firearms.

There are two other messages from Port Arthur about which I have not seen much in the media. The first is that the Tasmanian Government managed to get out from beneath this issue very quickly. The Tasmanian Government is now going about the business of lecturing all of us on gun control. I find that to be a script for a Monday night program of *Fawlty Towers*. Tasmania stands condemned on the fact that it allowed fully operational automatic firearms which, in my view, should never have been allowed into the community. It stands condemned for dragging its feet as long as it could about a firearms licence, and it would not have done even that if Canberra had not forced it to do so a few years ago. It had never wanted anything to do with registration but now, after Port Arthur, it wants to lecture the world. Let me tell you straight up and down about Tasmania: I do not think it has too much credibility on this issue at all.

I want to make another couple of remarks about this. I have to be careful what I say, but I, and I am sure other people, will be looking very closely at the coroner's report and in particular to the legal proceedings that no doubt will be mounted in Tasmania against the individual who has been charged over all these shootings. If this person presented beforehand with certain symptoms and they were not duly sorted out by the relevant authorities, and if he had possession of unlawful firearms and that was reported to the police, I believe the coroner ought to make the appropriate remarks and that some other heads should roll. Frankly, if that is the case, it is not good enough.

On the subject of medical practitioners, I must say that here in South Australia I have been greatly supported by Dr Emery, an unlikely ally of mine. Dr Emery and his friends in the AMA have always resisted the obligation to report people who they know are presenting with the sorts of symptoms that should prevent them, temporarily or even in the medium term, from continuing to have access to firearms. They have always objected to any mandatory reporting obligations. We will give them the opportunity under this Bill, and I will move amendments to make them as responsible as are other citizens in this country. I understand that there is some support from other members. I will call these 'the Emery clauses'. If some members of the AMA are not all that happy about it, that is their problem. Their official spokesperson said that we should do everything we can about gun control. Well, here comes the AMA's part. We will give its members their opportunity later tonight.

The Port Arthur experience teaches us a number of other lessons. I have been a shooter for a long time. Some 10 years ago, one of my great friends, Don Patterson—about whom I spoke in a eulogy here in this place in 1990—said to me that, unless we got firm control over semiautomatic, high powered, military style rifles in this country, we would all lose our guns. He repeated that and made it absolutely clear to me. At the time we were looking at an item of Chinese manufacture that I have never owned and do not wish to own because, even as a collector's piece, it looked to me more like a boat anchor than something I would be proud of, but it had tremendous fire power. I make these remarks for the late Don Patterson: I believe that he was right and that these things should never have been allowed into this country. I make no apology for that. I have said that to a number of representatives of various groups who have come to see me. My view is that the SKS and similar types of firearms that came into

this country in the 10 years before their importation was banned in 1991 should not have been present in our community.

I know that a large number of people—I believe the figures are 400 to 500—who are members of IPSC rifle clubs will be greatly affected by this legislation that will go through every Parliament in Australia. I feel very sympathetic to these people. I would suggest that failure by all jurisdictions to act years ago to control the flood of these things—largely unregistered in New South Wales, Queensland and Tasmania—has brought about effectively either the end or the moderation of their sport. I will have more to say about that later, particularly in the Committee stage.

One of the other lessons from Port Arthur is that, when we make law, we must do it over a period of time, with full consideration and proper consultation. I do not believe that that has happened in this instance. I do not blame the Deputy Premier, of whom I am not a big fan, as he knows, but I must say that he has consulted more than have his Federal colleagues. Many people have come to my office, including some who told me they would come into the gallery today. They could get in to see me and they did so on a number of occasions, and some of them have rung me a couple of times, but they could not get to see John Howard's representative in Makin—they could not get near her. I said that I would fix that for them. I said, 'If I were you, I would letterbox three or four streets with a little letter saying that I could not get in to see the Federal Liberal member,' and I bet them that before the day was out someone would be seeing them. I am told that the Federal Liberal representative said, 'This is not an issue for us: it is a States issue.' That is not what Mr Howard said. Mr Howard said, 'No; we will have to act on this and do something very quickly.'

Obviously, there are some things in this package with which reasonable, sensible people (and I include most of the shooters in this State in that) would agree. However, a number of the provisions in this legislation absolutely defy logic. I must say that I find some of them to be almost contradictory, and we will try to do the best we can to sort some of them out. Completely missing from the legislation was a provision covering recognition of the illegal use of firearms for the commission of a felony or any other serious crime. One of the issues that came out of the Port Arthur experience is that guns should not be used in those circumstances. People should not be robbing TABs or banks or anything else. In this Bill we find a massive ratcheting up of penalties—both custodial sentences and enormous fines—for legal, licensed shooters in this State who might have made one mistake. I have no problem with strict law. Indeed, I have no problem with penalties being strict and appropriate to an offence, and we can leave that to the judiciary. We will move that this Bill provide that, at least, there should be imprisonment for two years and a \$10 000 fine for a person who uses a gun in the commission of a felony or a serious crime, because that is the forgotten message from Port Arthur: it is the legal shooters in this country who will bear the brunt of Port Arthur and the policy that has been formulated by those people in Canberra who are not responsible for gun laws, so they tell us.

Every member of this House will have an opportunity to practise what they are no doubt preaching in their office, that is, that legal shooters have not committed the crimes but that, unfortunately, they will bear the burden—but what do we do about criminals? Everyone knows they get off far too lightly,

particularly with the use of firearms. This is the first of many steps that I hope will redress the balance.

Another message from Port Arthur is that the legal shooters of this country are mourning what happened there as is every other member of the community. I suspect that some are mourning more because their attention is constantly aimed at this question, and I am sure that not a day goes by when the representatives of the various groups who have been to my office visualise the terrible incidents at Port Arthur. Some of the media asked me, as a shooter of many years standing, how I felt about what happened at Port Arthur. I made the comment then, and I make it today on the record, that the closest historical precedent is that of being an ethnic Japanese in California or Hawaii after the bombing of Pearl Harbor, and I felt about as responsible.

The legal shooters of this country have been given a pretty raw deal by a number of organisations, not the least of which have been the Prime Minister and the process in Canberra. I have also noticed that the TV stations, which show lethal weapons, which glorify that sort of violence, and which show the *Dirty Harry* movies, have not been doing so since Port Arthur, but I make the prediction that it will not be long before they return. They might even be shown on Channel 2 because, by the time Mr Howard gets around to cutting its funding, it will probably be the only thing it can afford to put on.

To say that television violence caused Port Arthur would call into question everything that I have stood for over the past 30 years, and I do not believe it is as simple as that. I do not know whether the fellow who committed this act spent most of his time watching Arnold Schwarzenegger movies, which I find less than entertaining, or maybe he saw *The Sound of Music*, during which I fell to sleep. I do not know what he would be attracted to. I cannot get into the man's mind at all to understand that, but in the week after Port Arthur I found it hypocritical that, every morning when I put on the TV, I saw all the images from Port Arthur courtesy of the very television networks that had hurriedly to change their programming so that they could not be accused of showing violent films in the aftermath of the Port Arthur experience.

I return to the issue of legal shooters in this State. I have had discussions not only with a large number of groups and individuals but with prominent persons within the Labor Party, and I make clear today that I recognise, as do they, the importance of recreation and of the use of recreational firearms under strict law in this State. We will support that position. The Leader and I have had discussions about our policy platform for the next election, and we will make a commitment to support the legal ownership of firearms under the various provisions of this legislation, the Act and the regulations under it. Under strict law, a person who wishes to spend their weekends at the local gun club, hunting or on various other activities with firearms ought to be allowed to do so, and the law should support those activities. Not everybody wants to play golf.

In our midst, there are 120 000 people who take out a firearms licence and pay a great deal of money for it. We also believe that, in the presence of this law, it is absolutely essential that the rest of the community should feel safe with those persons owning their firearms and using their firearms, and that is what good law is all about. I am disappointed that John Howard did not enter into far greater consultation in this whole exercise. I would say, even though I have read in the media and in other places that this has been a slow process, as a person who has seen Governments operate, that this has

been a very rapid process. I understand that, by the time the regulations are put in place and the Act proclaimed, it will be less than six months since the event which triggered this whole process.

There are those who would say that Governments ought to act more quickly than that. Let me dissuade that view now: Governments never act that quickly. This is the most rapid reaction to any event that I have ever seen. In this case, not only was more consultation desirable but was demanded. It is important not only to have correct law but also that those people who are subject to it feel some part of its formulation, and I do not believe that that has happened in this instance.

Quite clearly, the Prime Minister knew very little about firearms when he entered into this exercise. The Federal Attorney-General knew even less. Until last week I had not changed my opinion about how much they had learnt along the way. The Deputy Premier on day one would be the first to admit that, in his new found responsibilities as Minister for Police, he had before him an issue that he had not come across before, and I want to say in this House and in the presence of witnesses that he has come up to speed very quickly. I have discussed a number of issues with him and I am pleased to say that I think he has come across the issues very well. I will discuss a few other issues with him before the Bill is debated in the other place and hopefully we can achieve favourable and sensible laws so that the firearms community can legitimately practise their sport and the community can feel safe with their doing it.

I think a number of members would have received quite an amount of mail on this issue. One of the persons who wrote to me is a urologist whom many people have heard of—maybe some members of the House have accessed his services. He is an acquaintance of mine; he is probably more than that—I have known him for a number of years. He is a sensible and reasonable person. In fact, he took considerable time to write to me and, as I understand it, other members, certainly on this side of the House, and the Prime Minister expressing his views about gun control. I want to quote from his letter because he is a very articulate man who makes a number of points, some of which will be answered in this legislation and others about which the shooting fraternity will shake their heads for some years to come. The letter states:

Re: Proposed Changes to Gun Laws.

In the opinion of many people, including large numbers of my patients, the Government has over reacted to the dreadful incident in Port Arthur. There are several things that need to be taken into account while this matter is discussed in a more rational manner. To make my position reasonably objective I would point out that I belong to no rifle club and have never applied for a pistol licence as they are too dangerous.

Firstly, South Australian gun laws are probably the strictest in the country and have been very effective, and potentially the South Australian population are going to be penalised because of the negligence of the Queensland and Tasmanian Governments to have any effective gun laws at all, as far as I can ascertain. For them suddenly to say that everybody has to prohibit self-loading rifles is going from one extreme to the other to cover up for their own failure to govern properly.

Before going into more detail I would like to point out that, with all the argument about self-loading rifles, there hasn't been a word said about the tens of thousands of pistols owned by people around the countryside who legitimately own them supposedly because they belong to a pistol club. To prohibit one and allow the other is ridiculous.

A further matter that our Capital Territory might look at is the fact that the lunatics who have performed these mass assaults have been incited apparently by movies that are only obtainable from the Australian Capital Territory, and it is considered that these movies are the trigger probably and nothing is being done about that.

The Government at any rate in its public statements have gone about the whole matter entirely back to front. To say that people are going to confiscate all self-loading rifles and set up a National Gun Register, is giving the people in Queensland and Tasmania the chance to bury all their self-loading rifles. As there is no record of them, it apparently is now highly common for them to be buried in tubes, according to my information. If the Government had stated they wished to set up a National Gun Register and all unregistered guns would attract a very heavy fine, and I mean heavy, to the owners of these guns, then you would have got the guns onto a register and then you could start looking at who should own them. From that point of view, obviously those with psychiatric violent histories, as for example the man in Tasmania, shouldn't be allowed to own them. It is also debatable, unless you have a good reason, e.g. you are a collector, and I mean a genuine collector, whether many people in the cities need to own self-loading rifles. Certainly they shouldn't be able to buy them at this stage.

This letter was written about the time of the regulations. I will quote a couple of other points that Dr Hamilton makes quite clear:

As a very senior surgeon at the Royal Adelaide Hospital, as a military officer, as a collector and as a farmer I would be happy to be involved in any discussions regarding reasonable discussion of regulations acceptable to the whole community for South Australia. I would suggest the Police Commissioner and the police in charge of firearms also be present, apart from other interested parties.

Although some people say that it is not relevant, I think it is relevant that in a community there are tens of thousands of motor cars that at any minute can be driven at a huge speed and wipe out busloads of children. . . if they get out of control, but nobody suggests and nobody would accept that they all had governors put on them to prevent them exceeding the speed limit. . . [and they should be banned]. It is recorded that there are police chases around the suburbs doing 140 k/hr plus which would be more dangerous than many self-loading rifles.

The final point in his letter states:

You might also look at spending the money on police to try to control the many unruly elements in our society, and you might also look at the American Constitution which has enshrined the right to carry arms, although I personally do not believe that this is at all sensible, although the Swiss being disciplined manage. . . with machine guns in every home.

There are a number of points in Dr Hamilton's letter with which I disagree. There are, however, a number of sensible points in Dr Hamilton's letter. Indeed, the Combined Shooters and Firearms Council and other various organisations around Adelaide should have a direct role in formulating the regulations. Unfortunately, they have not had the role they should have had in formulating this legislation.

I now specifically address this legislation and some of the provisions. Not all, of course, stem from the 10 May resolution of the Police Ministers, although that is what we have concentrated on most. The idea of grouping guns under categories A, B, C, D and H is a sensible way to categorise firearms. I believe that to identify that there has not been a problem in the pistol shooting fraternity in Australia, and therefore only minimal change is proposed in regard to that, recognises that there is already in place a *de facto* national law about short arm ownership in this country. In fact, we achieved that some years ago.

If a person is a pistol shooter in a club and has the proper authorisations, that person can move from one State to the next and the system of management exercised by the police forces in each State is not dissimilar. In fact, it is remarkably identical from one State to the next. By introducing certain provisions, it may make it easier for pistol shooters to compete in each State.

The issue of the photo gun licence is something that the member for Florey, the member for Eyre (the Speaker of this House) and I recommended some years ago. A firearms licence in South Australia is a tacky small computer print-out which is very easily copied and, in fact, quite widely used on

fax machines. Why that does not have the integrity of a photo gun licence is something which should have been addressed years ago. I could continue at great length about the work that was done by the member for Florey, the member for Eyre and me. I would suggest that some of the material that is now before the House is the result of work done over a year or more. In fact, the photo gun licence is one of the key parts to it. At the end of the day, we accept now—I certainly accept—that life was changed quite dramatically on 28 April and by the consequent changes that occurred on 10 May.

The photo gun licence is part of this Bill. There are a number of other provisions in here which, as the night goes on, we will debate in great detail. It is rather interesting that, particularly for category A and B firearms, we see some change in the law, but I hope that, by the time the Bill goes through Committee tonight, we will recognise the necessity of some further changes, some sensible changes, because we are dealing with people who overwhelmingly have done the right thing. They are law-abiding citizens who not only have gone through the training process to get a firearms licence, but in many instances they are the trainers. One or two of the other provisions that I want to put through here, and I want to take this opportunity to make a case out for this, are in relation to the Rifle Association SA Incorporated, which has a number of members who are covered under the Commonwealth Act.

What is not commonly known is that there are two types of firearms licence here in South Australia. There is the normal one that shooters who shoot under the Act in South Australia must have to legally own their firearms; the other is the Commonwealth rifle regulations that date back some 92 years and, from my information, will not make 100. But as a consequence of that, those members who shoot down at the Dean Rifle Range will need provisions that will parachute them straight into the South Australian Act, otherwise we will have the absolutely ludicrous situation whereby you will be going to these people and telling them that they have to train to get a firearms licence, even though in many instances they have had firearms (and still have them) for 30 or 40 years. In some of these instances they are actually the trainers in the TAFE courses, so they have to train themselves to apply for a firearms licence. I have taken up that issue and spoken to the Deputy Premier about it. I believe that he recognises that that problem must be sorted out and that we need to fix it for those people caught under that part of the legislation.

I want to talk now about the question of firearms in the bush. A number of people have spoken to me, and the implication is that if firearms were not accessible in country South Australia the suicide rate would drop. I do not know whether or not that is so; it is an interesting claim. The claim is that someone who uses a firearm would not use some other means of self destruction. I do not know: I cannot envisage how that would be the case. It could be argued that firearms are an easy method of self destruction. But then again, so are pills, exhaust fumes and a range of other things. To use the suicide argument to say that there should not be widespread ownership of firearms, particularly in rural South Australia, is a claim that needs much more argument than I have heard so far. I suggest that access—

The Hon. Frank Blevins interjecting:

Mr QUIRKE: Indeed they do not. But access to firearms is something that needs to be totally controlled under our law. Obviously, the medical provision that I alluded to a short while ago in my speech is a key example. If a medical practitioner knows a person is going in a certain direction and

knows that that person has a firearm, that is one instance where this Bill will have some positive results. Yesterday I received from the Deputy Premier a list of compensation payments that will be made available for prescribed firearms which, after 1 September, will no longer be allowed to be legally held by most of the people who now currently hold them. I have drafted amendments, to which I will be speaking in the Committee stage, about setting up an appeal mechanism under this legislation.

At first glance, although I have not yet had the opportunity of having people come to speak to me about this, most of the compensation provisions, if you wish to get rid of your firearm—and I put that proviso in there—seem reasonable enough. However, there are a number of issues associated with it. For instance, from the list I have been given a good firearm gets the same compensation as one that has been rusted and left in a state of disrepair for many years. Most people would think that is unfair and unreasonable. When we look at the values suggested—which, as I understand it, are in today's paper, although I have not had the opportunity to read it yet—there is no provision for what is a good, bad or otherwise model of a particular firearm. Especially amongst firearm collectors, this will be a bitter source of discontent.

We will be asking questions under the relevant clause of this Bill later tonight and, no doubt, further down the corridor we may persist with our amendments in respect of compensation, because we want to see that those people who have been or will be required to hand in their firearms receive adequate and proper compensation. The other question that emerges from that, of course, is what will happen to gun shops around Australia. A large number of gun shops gain income and employ people: people with wives, husbands and children they need to feed. We need to make sure that they are going to be properly compensated, not only for the firearms but for the loss of business.

I will be debating most of the other clauses when we reach the Committee stage of this Bill, but I want to sum up now with a few general remarks about this whole process. It is fair to say that we would have been happier had there been a far greater period of consultation. The Prime Minister, in entering the debate in the way he has, has articulated some of the needs of our community, but at the same time he has jumped in on a few issues that I suspect would have been better with a far greater period of consultation with many of those who have been affected. I now think we have a much more sensible package before us and, hopefully, some of the amendments here tonight will reflect a reasonable, satisfactory and adequate law for all South Australians.

I want to finish by saying that gun owners, shooters and firearms licence holders, however you want to describe them, live in everyone's street, in every suburb, in all 47 districts of this community. They are remarkably widespread. One person in eight over the age of 18 has a firearms licence. We as legislators owe it to them to ensure that not only can they continue with their sports but the rest of the community can feel absolutely safe in their doing so.

Mr BASS (Florey): The member for Playford said that he wanted to talk to the Minister about some amendments: I suggest that he would be talking to the wrong person. I rise today to participate in this debate about legislation which has been drawn up not by the elected members of the South Australian Government but which has been forced upon this State Government by a Federal Prime Minister who has made an emotional reaction to what can only be described as a

terrible tragedy—the tragedy of Port Arthur. The Prime Minister, after his emotional reaction, is now unwilling to admit that he climbed aboard the emotional juggernaut after Port Arthur and made statements without clearly thinking about the end result and, because of his reluctance to admit that he went too far, is now forcing the States to push through legislation which he knows will not achieve the objective which was intended.

It has been said that I have rolled over to the gun lobby, but I can assure members that I am speaking this afternoon because I passionately believe that what we are doing is wrong. I would like to put on the record that I believe that the general ownership of military style semiautomatic centre-fire weapons is unnecessary, and I would support this legislation without question if it was just dealing with semiautomatic centre-fire firearms. For some reason, in the emotional hysteria following Port Arthur, the push by the Prime Minister and his advisers—advisers who obviously do not understand firearms—to ban military style semiautomatic centre-fire firearms grew into a frenzied rush to ban any firearm that anyone cared to call out at the 10 May Police Ministers' conference.

Let us consider one of the documents that was produced by the Parliamentary Research Service of the Department of the Parliamentary Library in Canberra. This document is dated 7 May 1996—interestingly, three days prior to the Police Ministers' conference—and it is headed 'The paper: After Port Arthur, issues of gun control in Australia.' At page 2 the document lists the recent multiple killings in Australia and shows that there have been nine multiple killings since 1987, up to and including the January 1996 shooting of seven persons in a murder-suicide tragedy in Brisbane. A total of 50 persons were killed in these nine incidents—but not all by bullets. In three of the killings, eight victims were either stabbed or hacked to death by a knife or machete. It is also a fact that prior to Port Arthur the incident which resulted in the most deaths in this country was the *Whisky Au Go Go* bombing in Queensland, which saw 15 persons murdered—not with a firearm but with a few litres of petrol.

Prior to the 1996 election the Prime Minister was approached by various firearm groups and, in his election policy on firearms released in October 1995, he stated that there would be 'no restrictive firearm laws unnecessarily affecting law-abiding citizens'. This statement was made by Mr Howard after several multiple firearm-related tragedies—not only those I have already mentioned but others such as the Milperra bikie shooting and other tragedies quite close to home in New Zealand. One must wonder why the Prime Minister released his pre-election policy as it was. I suggest to the House that the policy was worded as it was because he knew that it was plain common sense. The policy was formulated at a time when emotions were not running high, and research shows that law-abiding citizens are not the problem where firearms are concerned.

Let us return to the briefing paper produced before the Police Ministers' conference. The document is full of inaccurate information and is a disgrace to any self-respecting researcher. At page 3 it discusses the high velocity at which military style weapons fire bullets. What is meant is the high rate, not velocity—a mistake which no person with any knowledge of firearms would make. The paper talks about the velocity of different weapons and states that one particular firearm fires a bullet at more than twice the speed of a traditional military rifle. The fact is that one fires a bullet at

2 460 feet per second, the other at 3 280 feet per second—nowhere near twice the speed; in fact, only 33 per cent faster.

The document talks about the cyclic speed of semiautomatic firearms as being 700 to 900 rounds per minute. It is physically impossible to pull a trigger that many times. At 700 rounds per minute you would have to pull the trigger 11.66 times per second; and at 900, 15 times a second. Why is the document written like this?

Mr Atkinson: It's propaganda.

Mr BASS: The member for Spence is dead right. It is not factual, it is not written honestly and, in fact, it was written to incite people. The document is completely unreliable regarding information about the firearms it mentions. It discusses the methods the Commonwealth could utilise to ensure that the States comply with the Prime Minister's wish to have uniform firearm laws, such as using section 96 of the Constitution to withhold moneys where a State refuses to comply with the Commonwealth's wishes. Is this consultation? Is this the Federal Government working with the States? Definitely not.

I believe that the Prime Minister is forcing the States to comply with his wishes—and my belief is supported by a letter which came from the Northern Territory's Chief Minister's Office. The letter poses a set of hypothetical questions, one of which was:

Why don't not we (the Northern Territory) stand up against the Commonwealth, as the Northern Territory has done it on other issues?

The answer supplied is as follows :

This was a fight that would not have been won. Further, we would be likely to have compromised future financial relations between the Territory and the Commonwealth and prospects for the rail and Statehood.

One wonders what threats have been made to South Australia to toe the Prime Minister's line—perhaps the rail link to Darwin. It makes a mockery of the mention (in the same document) of a cooperative approach between the States and the Commonwealth to achieve national firearms laws.

I return to the meeting of 10 May, the meeting called to discuss the banning of semiautomatic military style weapons. Late in the afternoon of that historic meeting some agreement had been reached but had not been signed off by all the Police Ministers, I understand. The document produced and promulgated in the days following saw that, from discussions about semiautomatic military style weapons, some knowledgeable individual had widened the parameters to include semiautomatic shotguns, and they were subsequently included in the resolution. By the time the agreed resolution was put to paper—and I might add after some Police Ministers had left the meeting—there were additions that had not been discussed, including pump action longarms. This was obviously a mistake because, in the later draft, pump action longarms were dropped—a fair indication that someone was writing down anything that was called out from the floor and that those who attended the meeting had little or no knowledge of firearms and were obviously being advised by persons with a similar lack of understanding.

To further illustrate the lack of knowledge of the Federal advisers on this issue, I refer to the pamphlet 'Gun use and how it affects you' which was issued by the Federal Government. The document, on its front page, has a design of crossed military style semiautomatic centre-fire rifles and a firearm with a broken action in the inverted position. However, when one carefully studies this firearm one sees that it is a lever action firearm. Any person with any knowledge of firearms would know that lever actions do not

break—they load from the underside into a magazine which is part of the receiver.

One might say that I am being picky, but the same people involved in the preparation of this document have been advising the Prime Minister and the Federal Attorney-General on firearms matters. No wonder the legislation in its present form is an absolute disgrace! I know that the Prime Minister has been saying, 'Let us have a referendum.' Well, if he wants a referendum, I suggest that he has one for the firearms, euthanasia, the death penalty, and the Republic, and that he pushes through legislation on the decision relating to those four matters. Then we will see how smart he is.

I would like to address the action that other countries have taken in relation to firearms in the past two decades and the respective results. In the UK in 1988, extremely strict firearms laws were introduced. At the time the laws were enacted, there were 2 059 legal firearm owners for every 100 000 head of population. The crime rate for offences with a firearm had been steadily rising since 1979. At the introduction of the strict firearms laws, there were 429 violent crimes and 5.3 firearm robberies for every 100 000 head of population. In 1992, four years after the introduction of the strict firearms laws, firearm ownership had been reduced to 1 611 legal gun owners for every 100 000 head of population—a reduction of 22 per cent in firearms ownership. Yet violent crime had increased to 554, an increase of 23 per cent, whilst the number of robberies involving firearms had increased to 11.1 for every 100 000 head of population—an increase of over 100 per cent in the four year period.

There is a belief that firearms cause an increase in homicides. World Health Organisation statistics show that this is a fallacy. Since 1989, Switzerland has had laws that allow free access to semiautomatic military style firearms, and there is actually a requirement for each house to have one, yet the homicide rate in Switzerland compares with the Australian rate. Again, looking at World Health Organisation figures on murder rates per 100 000 head of population, three countries that have moderate gun controls—Switzerland, Canada and the United States—have varying murder rate figures: Switzerland, 1.8 per 100 000; Canada, 2.2 per 100 000; and the USA, a very disturbing 10.8 per 100 000. What do we draw from those figures? There is no logic, is there?

France, West Germany and Italy all allow hunters and target shooters to own guns. Their murder rates are 1.1, 1.2 and 1.3 per 100 000 head of population, yet Singapore, where firearms are virtually banned, has a murder rate of 1.6 per 100 000. East Germany, when it was a Warsaw Pact State with extremely tight gun laws, had 36.7 murders per 100 000 head of population. Are we being forced into firearms legislation that has no impact on murder ratios, as shown in Britain? It has no effect on violent crimes and robberies with firearms. Are we targeting the wrong cause?

The very person who is forcing these firearm laws upon us, the Prime Minister, acknowledged in his pre-election policy that mental health is a problem. He acknowledged this fact again on 10 May when announcing the gun controls, and he reaffirmed it yet again on 16 May, but what has he done about this issue? Nothing—not a thing. Why? Is he not serious about tackling mental health, or is it all too hard? Does it not attract enough publicity? If he is serious, why has he not addressed mental health with the same haste that he has in respect of firearms.

New Zealand authorities are finally acknowledging that mental health is the primary cause of homicides and suicides

in that country and that firearms are not the problem. We should be examining the real cause of these tragedies, not passing legislation that is merely a placebo that does not address the real issue. The other firearms tragedy that has shaken the world in recent times is the Dunblane massacre in Scotland. The British Firearms Consultative Committee came to the conclusion that nothing it had suggested to the Government since being set up eight years ago could have prevented the Dunblane massacre. The report from London, reprinted in the *Canberra Times*, stated:

The British Government has rejected any knee-jerk reaction over the Dunblane tragedy.

It is a pity the Prime Minister did not react in the same way. It is a pity that this is not the case in Australia. With organised cooperation, in a calm atmosphere, Port Arthur could have been the catalyst for uniform firearm laws, laws that would have restricted the use of semiautomatic military style weapons and would not have punished law abiding citizens.

Let us consider the number of homicides per 100 000 population in Australia. In each State we have a varying degree of firearms laws. Western Australia has extremely strict gun laws; South Australia has very strict gun laws; in Queensland, firearms are freely available; the ACT has strict gun laws; and the Northern Territory has strict gun laws. The Northern Territory has 11.1 homicides per 100 000. However, in Western Australia, South Australia, New South Wales and Queensland, with varying laws, there are 1.8 homicides per 100 000, so there is no correlation between firearms laws and the murder rate.

In concluding my contribution, let me quote a very interesting statistic about firearms related deaths in Australia, excluding suicides. Since 1979 there has been a trend on average of fewer firearm related deaths. This figure has decreased from 170 in 1979 to a trend average of 100 in 1994, a decrease of approximately 42 per cent. Another interesting statistic is that of firearm homicides as a percentage of all homicides in Australia. In 1979, firearms were responsible for approximately 38 per cent of all homicides. In 1994, the percentage had fallen to approximately 24 per cent—again, a steady, consistent decline. So, are we attacking the real problem? I think not.

In the Committee stage of the debate, I will be moving amendments that have been carefully considered after much consultation and discussion with firearms clubs, dealers, recreational shooters, primary producers and collectors. My amendments will in no way weaken the legislation introduced into this House. In fact, in many areas my amendments will increase the control over firearms users and collectors. My amendments will tighten the legislation by banning the general use of semiautomatic military style weapons, but they will allow those persons who use class C firearms for a genuine purpose, such as primary producers, those in recognised firearm clubs, etc., to continue their sport or occupation without jeopardising the safety of South Australians.

I ask members of this House, both Government and Opposition, to support my amendments so that South Australia can continue to have fair and equitable laws controlling firearms—laws that will ensure that military style semiautomatics are removed from general use as the South Australian public wants, yet laws that will ensure that law abiding citizens can continue to use their lawful firearms without danger to the public.

The Hon. FRANK BLEVINS (Giles): I support the principles of the legislation, but I do have very significant reservations about many of its provisions. I was reluctant to speak in this debate because the topic of firearms is not one about which I have a great deal of knowledge. I have never fired a firearm and, until people 'outed' themselves on this issue, I did not think I knew any firearms owners and users, other than those who used them in their employment, such as farmers and members of the Police Force and so on.

So, I do not have any particular vested interest in the topic at all. However, my friend and colleague the member for Playford is very knowledgeable in the area and knows a great deal not only about firearms but also the legislation surrounding and applying to firearms and the legislation before us. I thank the member for Playford very much for the detailed advice which he has given not only to me but also to our entire Caucus. I support his position completely. I support the views he has expressed in his second reading contribution and also the possible amendments that he may move.

I support uniform gun laws: the laws ought to be the same throughout Australia. I believe that those uniform gun laws ought to be very strong because firearms can be dangerous, although I do not necessarily subscribe to the view that they are inherently dangerous: they certainly can be dangerous and there is a great deal of potential for danger. I also believe that people who choose to shoot responsibly ought to be allowed to do so without being accused of being something akin to mass murderers, antisocial or rednecks. It amuses me that some of these people who call shooters rednecks, generally speaking, are also supporters of racial vilification legislation under which, given their particular views, the term 'redneck' would be outlawed. All I know is that the people whom I have met in my electorate who use firearms would not come into the category of rednecks at all and ought not to be treated as such. Overwhelmingly, the shooting fraternity in Australia as a whole, but particularly in South Australia, has been subjected to vilification utterly unnecessarily and unfairly.

The difficulty we all have with this legislation is that Port Arthur happened and it is no good pretending anything else: it did happen. Obviously, the media, quite properly, will go to the Prime Minister and ask, 'Mr Prime Minister, what will you do about it?' The Prime Minister is not in a position to say, 'We will have a think about it. We will call a meeting. I will talk to my colleagues.' It just does not work that way. Prime Ministers cannot waffle when 35 bodies are littered around the Port Arthur landscape. What the Prime Minister has done is to put us all in a position where we have to support this legislation before us overwhelmingly. Some people have said that it is a knee jerk reaction. I do not subscribe to that view totally. It is understandable that the Prime Minister reacted in the way in which he did.

Given that the Prime Minister reacted in that way, what is the Leader of the Opposition to do? Is he to say, 'I think we have to consider this,' bearing in mind that bodies are still falling and the death toll is increasing? Do people expect the Leader of the Opposition to say, 'Perhaps we should have a bit of a think about this, because up in Queensland and down in Tasmania they do not like any legislation at all'—which pretty much they do not? You cannot do that: you cannot be in that position. Once the Prime Minister has determined a position—and I believe that he had no option but to do so at the time, although I would have chosen my words a little more carefully if I had been the Prime Minister, but I understand why he did that—the Leader of the Opposition is then locked in and it cascades down the line to the foot

soldiers in the State Parliaments, and we are equally locked in. I know that one or two members will indulge themselves by crossing the floor and moving amendments contrary to the national decision—and they will get some cheap cheers in certain quarters—but for the rest of us I can tell members that is the way it works and, whether that is right or wrong, that is what we are stuck with.

However, within that framework there ought to be things we can do to ensure that some of the decisions taken are at least workable and have some commonsense foundation. I believe that is not demonstrated in this legislation. This legislation, and particularly the regulations, will continually have to be brought back before this Parliament so that we can try to get something that is workable because the Prime Minister did not think it through—he did not have time to think it through—and the 101 problems which are evident even at this stage will somehow have to be sorted out.

I also say that the shooting fraternity in this State have a lot to answer for. I do not believe that they have to answer for the Port Arthur massacre, as some members of Parliament—not in this Parliament—have suggested, but they do have a fair bit to answer for. I was a member of Cabinet for almost 11 years and there is no doubt that the gun lobby, if you wish to call it that, or the shooting fraternity in general, were always opposed to national gun laws. This State was not one of the worst States, but even in this State everyone wanted to play their own corner and puff their own chest out. This legislation, to some extent, is an understandable reaction to that attitude.

In relation to people getting locked in, a couple of days after the Port Arthur massacre the Deputy Premier in this State, who had had a few hours to draw breath, said words to the effect of (and I am paraphrasing), 'Just hang on a minute; let us have a look at this.' And what happened? The wrath of the *Advertiser* came down on his head. Of course, the Deputy Premier capitulated immediately and said, 'I am out of this argument. I will have no-one standing up here with me.' I want to indicate the position in which all members of this House find themselves.

As I said previously, many of my constituents—not hundreds—have approached me on this topic. My constituency is not really a gun constituency. We have not had meetings of thousands of people baying for blood or anything such as that—it is not that kind of constituency—but a few people have come to see me or spoken to me on the phone. All I can say to those people is that, to some extent, I am sorry that I am unable to take their point of view into consideration. I do not have that freedom. For the reasons which I have outlined, that freedom has been taken away from most members of Parliament. However, where there is an issue, where some commonsense can be injected into the debate and into the legislation, certainly I will support that on their behalf. Having lived in a provincial community for 30 years, I know those people: I have known them for a long time and they are citizens for whom I have nothing but the highest regard. They are citizens in the community who are exactly the same as everyone else but, apparently because they are sporting shooters—and it is sporting in my case—they are somehow treated as second class citizens and denigrated at every opportunity, and that is quite wrong.

One of the provisions I would like to see included is for sporting shooters to be able to continue with their sport and I believe that that is being attended to. Also there ought to be an avenue for young people to take up that sport if that is their choice. I see absolutely no reason why in the gun clubs,

whatever provision applies at the moment for young people to take up this sport and be properly supervised, that should not continue. I cannot see that that would in any way impinge on the agreement that the Police Ministers have made over the past three months. It is that kind of provision that I want to see.

With respect to rural workers, it is all very well to sit in here in the middle of the city saying that rural workers can make do with this or that gun or this or that provision. When you are out there trying to hack it on a farm, these things can make life more difficult than it is already, and unnecessarily. The member for Playford brought up the issue of rural suicides and said that, because a number of people in rural areas commit suicide, we should withdraw all guns and that would not happen. I think we would see far fewer suicides in rural areas if we simply reduced interest rates than if we removed guns. I cannot see what repeating rifles have to do with suicides. You only get one shot; you do not need half a dozen. So, I cannot see the logic of a lot of this stuff.

I promised to be very brief: as you know, Mr Deputy Speaker, I always keep my promises. I will conclude on this point. I have absolutely no doubt that 90 per cent of the population want uniform and tough gun laws. I have no doubt about that whatsoever, but I also have enormous respect for the people of Australia. I believe that, within that framework of uniform and tough gun laws, they could cope with the debate about whether young people ought to be able to enjoy a sport, under supervision. I do not think that we ought to be frightened of that debate at all.

Again, the people of Australia could have had a sensible debate on the issue of crimping. If at the end of that debate the decision was to reject crimping, then fair enough; obviously I would go along with that. But it struck me as absurd that the debate on crimping got to the stage where some people were saying that if it was irreversible we should allow it. Clearly, nothing is irreversible. If you want to spend \$5 000 fixing up a \$100 gun that has araldite jammed down the barrel, obviously, you can do it, but 99.99 per cent of people who had their guns crimped would leave them crimped. We should not make legislation for the .01 per cent of the population that may do the wrong thing and ban 99.99 per cent of the population from doing something sensible.

My criticism of the Prime Minister is not over his original decision, although I would have worded it a little more carefully if I had been in his shoes. I can understand how he came to make that decision. But I do blame him for his subsequent decisions, which in my view have compounded the error. I have been in this Parliament for 21 years, and this is a very large issue, on which the decisions made in this Parliament and in the community cannot be made on the basis of logical and rational debate: that has been pre-empted. We are not entitled to that rational debate. I think that that is an enormous pity, and to some extent it is an insult to the people of Australia that they were not permitted that rational debate.

I know that my words can be misinterpreted, but I am too old to worry about those things. People have been doing that for years, so it does not particularly bother me. But I believe that my constituents are entitled to a fair hearing and that they have not had it. I will not support the member for Florey. I think the way the member for Florey is going about things is wrong; I think he is simply wrong. I do not think he has understood the pressures that have been put on Governments and other members of Parliament but, if he wants to set himself up as some kind of free spirit, that is okay; I have

seen them come and go over the period, too. The member for Florey tried to make a case that murder had no relevance to the number of guns in the community. I think that is nonsense. He used the example of Switzerland, saying that everybody in Switzerland is forced to have a gun, there are very few murders and therefore everybody in Australia can have a gun and it will not make any difference. I think that is just plain silly of the member for Florey. This is not Switzerland. My constituents are not Swiss.

Likewise, those people who say that this legislation will stop our going down the American road are also wrong. Those are as silly and simplistic as are the statements about Switzerland. This is not America; my constituents are not Americans. They do not live in that climate: they live in totally different social groupings, with totally different mores. There is no comparison with America whatsoever. It is a great pity that people have insulted them in the way they have.

I do not know that I have clarified much in this debate. The debate is not one that has been particularly based on logic: it has been based overwhelmingly on emotion. I understand it, but I regret that, after the initial wave of emotion had passed, we did not do something sensible while totally supporting uniform and strong gun laws, which unfortunately a few in the shooting community do not.

The Hon. M.D. RANN (Leader of the Opposition): I speak tonight in support of strong, sensible gun laws. I am certainly sick about the need for this legislation and the circumstances that led to its introduction. The former speaker, the member for Giles, is quite right in stating that people on both sides of the argument have tended to lean towards the emotional and the simplistic. We all know one thing in debating any legislation, namely, that it will not solve all the problems, because any legislation you can think of never solves all the problems of the human condition.

On Sunday 28 April 1996, 35 people lost their lives in Port Arthur, Tasmania, while another 18 were injured. Among those killed were men, women and children from around Australia, including our own State. The killings at Port Arthur have sparked the legislation we have before us today, but we should not consider this Bill in response to this one incident, as tragic as it was. Over a number of years there has been a series of mass killings in this country as a result of the awesome fire power of modern, high powered, semiautomatic weapons used by people who, quite frankly, should not have had them. Queen Street, Hoddle Street, Strathfield—we all know the list: they are ordinary places made infamous because of the hideous crimes committed in those locations. More than other single pieces of legislation to come before this House in many years, this Bill was a response to an enormously strong cry for tougher controls on firearms in our community. It is a cry that has crossed State and political boundaries.

This debate has seen political and Government leaders of all persuasions take prominent roles. The Prime Minister has had a prominent role; the Federal Opposition Leader (Kym Beazley) likewise. Unfortunately, one Government Leader in this country has not appeared in this debate in any substantial way. One Leader has not been available for comment or consultation on the guns issue. I am ashamed to say it, but it has been South Australia's Premier who has taken no part in this historic national debate.

The Labor Premier of New South Wales (Bob Carr) and Coalition Premiers Court, Borbidge, Rundle and Kennett

have been active in this momentous issue, as has the Northern Territory's Chief Minister (Shane Stone). They have all stood up to be counted, made their views known, taken part in the debate and done their job, but where has our Premier been? On this crucial issue of leadership, our Premier has failed utterly. He has left everything to his Deputy. Our Premier has behaved with cowardice on the guns issue while every other Leader has had the guts to state his views. Whether or not one agrees with those views, we expect our Premiers and Leaders of the Opposition to state their views clearly and accurately, rather than hide behind their Deputies. They should be prepared to consult in the community rather than hide behind their Deputies.

For some time, the Labor Party in this State has been supportive of tough action on gun laws. Within days of this tragic event in Tasmania, we produced our 10-point plan on gun control, and we have stuck to that plan as the debate over these laws raged within some sections of the community. We have had policy consistency: we have stuck to our 10-point plan. It has been universally, overwhelmingly, totally, unanimously endorsed by the Labor Party Caucus, shadow Cabinet and the Labor Party State Council.

That plan, which I released on Tuesday 30 April, included banning high powered, military style, semiautomatic weapons with a buyback scheme; a national register of guns and licences; photographs on gun licences; that people should be deemed unfit to hold a gun licence if in the past 10 years they have been in prison; that people who have committed a criminal offence involving firearms face a lifetime ban from gun ownership; that people suffering from a serious mental illness should be banned from holding a gun licence; that people under domestic violence restraining orders should be prevented from holding a licence while that order is current; and that it should be an offence to hold a store of ammunition without legal reason.

I am pleased to say that many of the key points in our plan are in the legislation before us today. This Bill is the expression of a call from the people of South Australia and Australia that we do more to make our community safer. We all want to see that. Our gun laws must recognise that gun ownership is a privilege that should be bestowed on those who have genuine reasons to own and use a firearm. Many people in our community have such genuine reasons for gun ownership, and they must continue to enjoy that privilege in a responsible manner.

The overwhelming majority of gun owners are very responsible, decent people, conscious of the need to use their weapons safely. I know that these responsible users of weapons understand the community's view, that it is unacceptable for high powered, military style, semiautomatic weapons to be freely available in our country. I know that responsible South Australian shooters understand the need for a proper licensing of weapons. This State has had amongst the toughest gun laws in the country for many years. There is now a clear community demand to remove certain types of firearms from our community and to more closely monitor the availability of others.

In the process of removing some guns from the community, the Commonwealth has said that it will pay gun owners compensation: that is fair and proper. But the Government must ensure that compensation is adequate: we members must ensure that that compensation is adequate. Law-abiding citizens will return weapons they legally own. They are not criminals and they must not be treated as such. Gun owners must be compensated adequately for the

weapons they return. Failure to compensate people adequately for guns to be surrendered will be seen as a breach of faith and will help defeat the aim of removing these weapons from our community. We can enact tough firearms laws, but failure to properly compensate gun owners would see it achieve very little.

There must be adequate consultation by the Government with gun owners' groups about the levels of compensation and about the process of compensation. So far, that has not happened. This Police Minister, this Deputy Premier, has treated many responsible firearms' owners like criminals. He speaks about them with contempt. He treats them with contempt, and that must end. The Police Minister must deal with responsible gun owners in a proper, responsible way. He must deal with decent South Australians in a decent way. Firearm owners returning their guns must receive a fair deal administered in a fair and equitable way.

Adequate resources must be provided to our police to handle the greater workload created by these laws. Laws must be enforced and enforcement needs resources. Our police are suffering from the deepest budget cuts they have experienced in recent memory. For the first time, sworn police officers are being made redundant. Despite all the rhetoric from this Government about more police, we now have fewer police. These laws will place new and greater demands on our Police Force. They must be given the resources to do the job.

No law we pass can ever guarantee that there will never be another Port Arthur. No-one sensible believes that, but we are duty bound to do everything we reasonably can to prevent such tragedies happening in the future. Importantly, we must not look at gun laws alone. How we provide for mental health services in our society is a very important issue that is related to the potential for serious problems in our community. I have been criticised before for stating the view that we are abandoning many mentally ill people to the care of families who do not get the support or resources they need to look after them, but I will keep saying it because it is true. I will keep raising this issue in Parliament.

Governments from both political persuasions have failed in the provision of mental health services in this State. We have pushed people out of hospitals, we have pushed them out of places where previously the mentally ill were locked away—and that was a good thing; it was done with good intent—but we have not put the backup and the resources into the community to assist parents and carers to cater for the demands of those who are mentally ill. All of us are responsible for a failure in policy, a policy that has not worked. We need respite care and we need a range of services to support families who care for people who are mentally ill. In saying that, I do not stigmatise those who are seriously mentally ill. I am saying that they are being ignored and that is not right.

Other issues need to be discussed. We cannot think about gun controls alone. If we think of only that, we will not even make a serious dent in the problem. A whole range of other things in our society need examination. As a parent, I believe that one of them is the attitude towards violence on television, which is a very important issue. A few days after Port Arthur, the media chiefs around the country congratulated themselves for suspending gratuitously violent programs during the week of national mourning. We were supposed to give them three cheers for doing that; we were told that they were responsible broadcasters. The following week, the week after and every week subsequently we have seen mayhem and mass murder on our television starting at 8.30 at night when young children are watching.

Parents have a responsibility to take greater care of what their children watch on TV, but there is also a fundamental responsibility on broadcasters in terms of the timing of those programs. When Paul Keating was Prime Minister three years ago, he led the charge to try to get broadcasters to put these programs on later at night when hundreds of thousands of Australian kids are not watching. How can we expect our children to resolve arguments and conflicts without violence when they are fed a daily diet of violence through the media? That daily diet of violence shows problems and arguments that are resolved not in a peaceful way but in a violent way, without depicting the consequences, the tragedy, the tens of years of problems that are caused by that violence.

I am pleased that the Prime Minister is also addressing this issue. It is vitally important that we tackle the problem of our young people living a life of violence through television. Their innocence is being taken away by violence on television, violence of the most gratuitous type. Labor supports sensible, tough action on gun laws. It is time for national action on gun laws and all of us on this side of the House are ready to play our part in that process. But I put this warning to all members of Parliament: we must not use the emotion behind the argument for tough action on gun laws—tough action that I support—to stigmatise decent people who are firearms owners. That has been done by this Government which has refused to consult sensibly with people and to listen to their point of view. It never hurts to listen; it never hurts to sit down and hear the other point of view; it never hurts to actually say, 'Okay, let us debate this point and clarify it. Let us actually find a better way of achieving a sensible result.'

I am pleased that the Government has picked up most of the points in my 10 point plan. But I do believe that there has been a stigmatisation of decent people and they are not the ones about whom we should be worried. We need effective gun laws and we need to ensure that the people who are not capable of exercising restraint and who are involved in violent acts do not get hold of these guns which must be banned and out of this country for good.

Mr D.S. BAKER (MacKillop): I rise to speak briefly on this matter because it is important that we all put our views on the table. I was most thankful for the speeches by the member for Playford who is an acknowledged expert in this area, and the member for Florey who seems to be an acknowledged expert not only in this area but also on the legislation, as he will move a lot of amendments. I also know that the member for Eyre, who has a long history of being involved in shooting and firearms, has experience as well. I must admit that I have not: I am not a gun owner. It has never been a sport that I have pursued. However, I will fight for as long as I can to ensure that those who do have a genuine interest have their rights protected to carry out their chosen pursuit.

During my 10 years in politics, this has been probably the most emotional issue in the electorate. It has probably been an issue which has got off the track and away from the facts more than any other issue that I have seen. Constituents who purport to represent the gun lobby have been coming to see me not only in the electorate but also in Adelaide. When you get so close to an issue—and this was triggered by a tragedy of course—you tend to try to win your case on countering the emotion that is around instead of saying, 'Okay, it appears that legislation will be introduced nationally. Let us ensure that all the sensible people (and that includes 99 per cent of

gun owners) can carry on their chosen profession and sport and not be fettered by impending legislation.'

I tried to inform the people who came to see me that they had to ensure that their colleagues did not carry on as they did on national television—talking about Jack Boot Johnny and saying they were intending to do this and that—because it did not do their case any good. It was always my view that if you are fighting national legislation (which has had total bipartisan support in the Federal arena and among all State Governments irrespective of their political persuasion—and it is the first time in my life that has happened) you have to alter your argument. From day one sensible negotiations should have been carried out to ensure that all these people could carry on; not only farmers could have guns to do whatever they wished to do with them, but everyone, young or old, male or female in sporting organisations could carry out their pursuits and it could be covered within the legislation.

However, it got badly off track. I did feel for the Police Ministers around Australia and for the Police Minister in South Australia. It is very difficult, if you are sitting down in Canberra or wherever at a national Ministers' conference, knowing that the Federal Government has absolute bipartisan support to bring in national gun registration and proper photographic identification and knowing that, if it went to the people in a referendum, the overwhelming majority of people in Australia, because of a tragic event, would support wholeheartedly what was being proposed by the Federal Government. Those in the gun lobby and those who are gun owners should spare a thought for the difficulties encountered by those people who were trying to negotiate sensible legislation which complied with the national wishes and the overwhelming national wishes if it went to a referendum.

The worst thing that could have happened in this whole debate would have been a referendum. If you look at the legislation you will note that it is vastly different from the initial views that were put just after the Port Arthur tragedy and that common sense has prevailed in many areas. Of course, people will say, 'We did not get out of it what we want.' But that is far better than the alternative of a referendum.

I continued to say to members of the gun lobby that you must negotiate as hard and as sensibly as you can behind the scenes to ensure that your views are covered within the legislation. More importantly, you must cop the legislation—because we will all have to cop it irrespective of our views. In the ensuing years you must ensure that, if there are anomalies in the legislation, you are the responsible people who go to the Federal and State Governments and say, 'We have our house in order; there are some anomalies in the legislation which we think should be addressed.' I am sure that in the longer term we will see amendments to the legislation to accommodate the general mainstream views of people in this country. Unfortunately, as I have said, it got right off track.

I am pleased that there is what is perceived to be adequate compensation, although it is sketchy at this stage. If you are removing firearms from people, the worst thing a Government can do—and it is a tendency of governments of all political persuasions—is pay not what is a generous amount but, as many would in the private sector, negotiate a little lower than it is worth.

We will be told in the debate this evening that the compensation has been set at a level that is considered by all reasonable people to be adequate. I know that the Deputy Premier will be talking at length on the types of guns and

what will happen. I was a supporter for crimping. In fact, I was very much encouraged when the member for Barker, who is also the Federal Minister for Defence, and the member for Wannon were part of a committee formed to look at crimping. I believe that was a logical step and, in fact, I said to the people from the gun lobby who came to see me that I thought it was a sensible political compromise which would save a considerable amount of money if guns could be satisfactorily crimped and not have to be bought back.

I must say that, as much as I thought that was a sensible compromise and something that should be forced, the advice that the Minister for Defence was receiving from the Australian Defence Force (and no doubt the Deputy Premier was receiving similar advice from the Police Force) seemed to be that not only was it not irreversible but in most cases it was easily reversed. That, I think, was what scared that Federal committee more than anything else. As someone said about all legislation, it should be made for the broad spectrum of people and not just for the minority. However, the committee felt that a majority of people could quite easily reverse the crimping process. I still believe that we should have been able to find a political way and a sensible way around the matter of crimping, but the difficulty I have is that, because agreement has been reached by the Police Ministers in Australia, because there is support federally on all sides of politics for the legislation, on that basis alone I cannot support the amendments that we will deal with later tonight and I cannot support the crimping amendment.

We would put ourselves in a ludicrous position if in South Australia, after all the work that has gone on in the States and federally in the past few months, this House somehow voted for crimping. It would make us the laughing stock of Australia and, in fact, ultimately would invoke a referendum. If I were a sporting shooter or someone who very much valued my sporting pursuits, the last thing that I would want in the emotion of the tragedy that has happened is for the public of Australia to be voting on whether or not it wanted tough gun controls. Unfortunately, everyone has been put in a most embarrassing position whereby we have legislation coming forward to which we have all agreed and which I will support.

I cannot support the amendment on crimping, but I would say to all sensible people in this Parliament and those who support the gun lobby that it is not the end of the day: there will still be many chances in the future, with the very sensible approach that the gun lobby has taken in the past, especially on this very emotional issue, for it to put its views forward in a less heated and emotional manner and in a less emotional climate, and to make sure that all those genuine people who want to own a gun can do so without ever again being pushed around by the emotion of the moment.

I do not think anyone disagrees that the time had come for a national gun register. There is nothing sinister about that. I do not think anyone disagrees that the time had come for proper photographic identification on one's licence. After all, those of us fortunate enough to have a drivers licence have had that for many years and do not have a problem with it. But other States were in the process of bringing in tough laws and, in the political sphere, if you do not look out, one State Government will come in and suddenly lurch over one way with very strong gun laws, then another will come in and say, 'We are going to water that down', while in another State something else happens.

I do not know any member in this Chamber who is not unhappy with parts of the legislation, but everyone agrees that

we must have some uniformity in Australia and the time has come. The point in time that was picked was most unfortunate, but we will go forward from here. So, I say to all my colleagues that we must support the Deputy Premier and the legislation he has brought before us. We must argue at length and question, as we should continue to question after the legislation has left this House and is law in this State, and we must continue to represent those genuine people who may be aggrieved in future by this legislation.

Ms GREIG (Reynell): In addressing this Bill tonight it is only fair to say that I am not a firearms owner, I am not a farmer and my livelihood does not depend on owning a gun. However, even without the desire to share the interests of gun ownership, I believe that all people with an interest in the introduction of this Bill, be they in support of the Howard framework or opposed to it, have the right to be heard and to express a point of view. With the same interest I believe we have to listen to what the general community is saying and ensure that we achieve the best outcome for the majority of people in our State. We all acknowledge that South Australia has the tightest gun control laws in Australia. We also acknowledge that a number of the proposals identified and agreed upon under the Howard framework are already in place in South Australia.

I am sure that the drafting of the Bill before us has not been an easy task for the Minister and his staff. I commend his patience and the tolerance he has displayed during this somewhat difficult time. He has a job to do in ensuring that our gun laws meet the guidelines as directed by our Prime Minister, and I am sure that he is well aware of the community demands for tighter gun control. I believe, in the same breath, that our Minister is attempting to make sure that all law-abiding shooters get the fairest deal possible. It is a sad fact that it takes an incident such as Port Arthur to make us as a community react to an issue that should have been addressed nationally many years ago. Through our grieving at the Port Arthur massacre we as Australians have asked: why did this happen? How can we prevent such events from happening and how can these weapons be restricted or outlawed?

Gun lobbyists have replied that it is pointless to restrict guns when underlying community violence and other problems should be dealt with, and they are right, up to a point. There is a number of issues that we have to address holistically. However, it was the *Sydney Morning Herald* that acknowledged the following point that identifies what we are trying to attempt in bringing this legislation into line, when it stated:

Patients bleeding to death may suffer from any number of underlying problems, but doctors looking for causes do not ignore the immediate threat to life—they stop the bleeding.

Australians have always had a gun culture. Michael Dudley and Fran Gale of the University of New South Wales, in their argument 'Fewer Arms—Fewer Deaths', stated the following:

Not only have guns been more available over the past 20 years but they are now being used differently, and this alone requires a more comprehensive approach to regulation.

I refer again to 'Fewer Arms—Fewer Deaths', as follows:

Society and youth culture have changed greatly in the post-war period. Social expectations of youth are excessive whilst older age is devalued. Whilst massacres attract media attention, 80 per cent of gun deaths are due to suicide, and young male suicide rates by firearms and other methods have risen dramatically in the past 30 years, especially in rural areas.

This coincides with firearms being more readily available and accepted in rural areas, and Queensland and Tasmania—States which have the laxest laws—have the highest firearm suicide rates.

In putting what may be seen as an emotive view by some, it is still a view and a view with another perspective. Guns kill an average of 620 Australians every year. To look at this more closely, a paper presented to the AMA Gun Control Summit in June this year indicated that that figure of 620 is about one-third of our road toll, about 25 per cent short of Australia's infamous skin cancer death rate, just above our annual AIDS death toll, double the national death toll from cervical cancer and seven times the total number of deaths from opiates.

Although a number of arguments have compared Australia to the United States, it has been made clear that we do not want to head in the same direction as the United States. However, we must look very clearly at comparative figures when looking at other countries in this context. The United States has nearly 14 times our population, 64 times our total gun deaths and 312 times our gun homicides. Only lawless nations such as Colombia have a worse record.

In the other direction, Japan has the world's toughest gun laws, and it is almost impossible for citizens to own hand guns in Japan. Japan has just over seven times our population and, in 1992, the murder rate from killings by guns was 30 per cent less than Australia's gun murder rate. Do tighter controls reduce the number of gun fatalities, massacres or shooting accidents? Fatal injury related deaths are declining, and I believe that this is partially due to the efforts of responsible shooters and shooting organisations in some States.

A large number of responsible firearms owners whose credibility has been put on the line by some extremist groups feel that they have a right to bear arms. Gun use and ownership is a privilege which should be extended only to responsible individuals who have a valid reason to own a gun and are prepared to use guns safely. Whilst I am supportive of good gun legislation, I strongly believe that all community views should be truly represented. I am aware of the strong national support for tighter gun control laws, and I am also aware of the need to ensure a fair and workable piece of legislation that meets the needs of responsible firearms owners.

The Hon. H. ALLISON (Gordon): All members of Parliament—State and Federal—and all reputable firearms owners appear to be united on one aspect of the firearms legislation: that all military style automatic and semiautomatic weapons should be abolished, that they should be banned. A former Federal Labor Government, in what I considered to be a gross act of folly, allowed half a million or more of this style of weapon into Australia, along with a formidable supply of ammunition. It was an act of folly, totally out of character with the Labor Party's claimed pacifist inclination and totally out of character with the Australian community's needs then and now.

Those firearms should never have been imported. The Labor Party has a lot to answer for, and those weapons must go. The Leader of the Opposition in some way today made what I regard to be an act of atonement in supporting this legislation. South Australia already has the most stringent legislation covering the ownership and possession of weapons and also in processing the suitability of a person to bear arms.

I compare that with interstate, where the whereabouts of tens of thousands, maybe millions, of guns is unknown.

Mr Quirke: Three million in Queensland alone.

The Hon. H. ALLISON: That figure is frightening, if the honourable member is correct. I think that South Australia's legislation could well have been used by all States as model legislation. However, the Federal Government has decreed that a far wider range of weapons should be banned in the aftermath of the Tasmanian massacre: and therein lies the rub. In speaking to this Bill I have to defend the character and reputation of the members of sporting shooting organisations within my electorate. I have known many of those members for up to 41 years. They are not criminals; they are people of considerable integrity and standing in the local community and in whom I would put my trust. They include some of our society's leading citizens.

They are sane, sensible, moral people, skilled in the safe use and handling of a wide variety of weapons; and, as club members, they shoot to a very high competition standard. It was on their behalf that I sought from the Minister for Police some compromise as to the use of semiautomatic rim-fire .22 rifles and pump action shotguns as used, for example, in the local clay target shooting club. Incidentally, they also placed a national submission through my office to the Minister. Sporting clubs in my electorate have presented their arguments collectively to both me and the Minister with polite and reasonable argument, and I greatly respect them and their attitude to this whole gun debate.

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

The Hon. H. ALLISON: As I was saying before the dinner adjournment, my own sporting shooting clubs in the South-East—and I do have quite a number of them—presented their arguments through me to the Minister in a polite and reasonable manner, and I have great respect for them and their attitude to the debate. Contrary to the inferences made both outside and within Parliament today by the Leader of the Opposition, the Deputy Premier, the Minister for Police, did listen to those arguments. One of the submissions I presented to him was a national submission from the Clay Target Association—one of my constituents in the South-East is on the executive of that group—and he took that argument to the Police Ministers' conference in Canberra.

I am pleased that some compromise has been achieved in regard to competition shooting. Perhaps members will see the somewhat droll irony that Australia's first 1996 Olympic medal should have been won by a very youthful clay trap target shooter, and his future ambitions for the year 2 000 in Sydney will be protected and provided for in the proposed legislation.

I have to say that some of the telephone calls and correspondence I have received have been less than desirable from a personal point of view. I have little respect for those outside my electorate who chose to embellish the arguments, whether factual or emotional, with both overt and covert threats, political and otherwise, in an effort of intimidation. It is probably unfortunate that they will be the accidental rather than the intended beneficiaries of any compromise arrived at through my efforts and those of my parliamentary colleagues.

This legislation, while I am sure far stronger than many shooters would have liked, still allows gun owners to possess and use a range of weapons and, contrary to arguments that have been presented to me and through the national media,

shooters in South Australia and across Australia will be far from totally disarmed. The control of feral pests by land owners is also legitimised by this legislation, which still permits the use of rapid fire weapons in such pest control operations.

The Leader of the Opposition and others referred to the matter of fair compensation, and that can be both subjective and objective. It is an issue that is not necessarily easy to resolve. Adequacy of remuneration or compensation has to be assessed. Some weapons can obviously be quite easily valued. In fact, I am told that a great number of those military style weapons were brought in very cheaply, sold very cheaply, and can be valued relatively easily. However, in other cases, there are many reasons, including the rarity, condition and age of a weapon, the market value on the proclaimed date of this legislation, and the sentimental family value that has been firmed by long personal association with a weapon, probably by father and son through families. These and many other reasons are often subjective and hard to substantiate, and may well lead to some argument. The sale of a weapon overseas on the open market can answer only part of the problem and does not resolve the forced dispossession of a family heirloom of considerable sentimental attachment.

On another tack, I also believe and strongly recommend that those military weapons and munitions that I believe should be taken out of circulation should also be placed into a national armoury against any possible future national emergency. Such contingencies can occur. I recall in my own youth, in 1939 and 1940, when members of the armed forces were training with broomstick handles in the absence of any form of military weapon for those conscripted ready for national or military service in France. Few other nations are disarming across the world.

I believe that the weapons could augment the stock of arms currently available to our armed services, even if they are used only for practice purposes. We are, after all, expending taxpayers' funds one way or another in the acquisition of these weapons—in the compensation paid—and those funds expended in their acquisition could well be put to some use in the public interest through the military services.

I would have preferred more information of a scientific nature regarding the practicability and irreversibility of various ways of reducing the ammunition carrying capacity of rapid fire firearms. I am not an expert in this matter and I would have to be guided by experts in the field. The Minister for Police—and again I give him credit for this—listened to arguments presented to him by the shooters, at least from my electorate, and sought a compromise by seeking alternative methods of reducing the fire carrying capacity of weapons. He took what I thought was a very acceptable suggestion to Canberra but, for one reason or another, the compromise was not allowed, and such modifications were declared reversible or non-acceptable by the Prime Minister, when our own Minister for Police attended the conference in Canberra.

I would also prefer all members to have received copies of the intended amendments earlier so we could at least have had some time to consider them. I say that because the amendments we have had handed to us today are fairly substantial. At about 3 p.m. today, 11 pages containing 66 amendments were placed on our desks, and it took me, as Chairman of Committees, about one and a half to two hours in my room, while the Speaker presided over the House, in order simply to enter those amendments in my debate copy

for the Committee stage. Obviously, the Minister received them at that time, and I am quite sure that members would have desired much more time to consider those amendments and to give them the attention that they well deserve. In addition, only a short time ago I received a further set of amendments to be put to the House by the Minister himself. So, we have this debate which will proceed through the evening and into the early hours of the morning, and all members will have to give very careful consideration to those amendments.

I advise members that, after having reserved the right to vote against the legislation in debates within the Party room and statements I have made publicly, I have reviewed all the evidence, I have had a good look at the amendments, and I do not intend to oppose this legislation at the third reading. The member for MacKillop posed one very good reason which I also have strongly in my mind, and that is that, in the final analysis, whatever happens in this debate, gun owners must be even more concerned at, and anxious to avoid, a national referendum on firearms. I have no doubt at all, after conferring with people within my electorate, that their cause would suffer even further. Nor do I have any doubt at all about the implacability of the Prime Minister. He is certainly a man of resolve in this matter: irrespective of the reasons which triggered his initial statement that automatic and semiautomatic weapons would be banned, he is a man of considerable resolve.

Moreover, as the member for MacKillop said, we are all aware that now all State Governments, whether they are Labor or Liberal States, and the Democrats, too—the three major Parties in Australian politics—have all expressed their support one way or another for uniform legislation across Australia. Under those circumstances, I am quite sure that a referendum would empower the Federal Government to make even stronger legislation and could well result in a loss of the hard won concessions which have already been gained by my parliamentary colleagues through the Minister for Police in his representations on our behalf to Canberra.

Mr BECKER (Peake): I must declare an interest. I am the vice patron of the Adelaide Pistol and Shooting Club Incorporated, a position which I have held for some years, and I am proud to be involved and associated with that club. In relation to the events of 28 April this year, everyone was horrified at the massacre in which 35 people were killed and 18 wounded. There is no doubt that in this country everyone concerned was horrified: they wanted to know how it could happen and why it happened. Everyone is looking for answers. At the same time, in a grown-up society we have to be realistic and recognise that these events can occur anywhere at any time. In the 26 years I have been in Parliament, I have recognised that, try as we may—Parliament can bring down whatever legislation it wants—we cannot legislate against people doing stupid things.

I am not convinced that this Bill will prevent tragedy in the future. We are witnessing at present on television the tragedy of an aircraft which went down off New York and in which 230 lives were lost. It was sabotage: it was not an accident. It proved one thing, that is, if people want to sabotage, they can do it in many ways and they can take many lives. The problem with society today is the lack of consideration for others. We are living in difficult and strange times. We need to ensure that people are kept gainfully occupied and, if we tackled unemployment, provided affordable housing and insisted on stricter morals within

society, we would not have half the problems. However, we must consider legislation in some form because that has been decreed by the Federal Government.

As the Premier reminded us yesterday at the swearing in of the new Governor for South Australia, the Federal Government is there at the behest of the States. It was the States which established the Federal Government, yet it is the Federal Government telling the States what to do. I have not seen any legislation from Canberra. All we are getting from Canberra are instructions on what to do.

I was in Europe a few days after the Port Arthur incident on 28 April and, as does anyone who travels interstate or overseas, I turned on the television set in my motel room to listen to the news. Repeated continually on the CNN news were details of the tragic event at Port Arthur. One gained the impression that the Australian media had had a field day. I put much of the blame for the emotionalism that has followed on the Australian media. They have a lot to answer for given the way they carry on.

We are witnessing it at present with the Olympic Games as well. We have young people in Atlanta who have high hopes and others have high expectations of them. They are finding that the competition is pretty tough and so it is pretty cruel. The media in this country have a vested interest. And they also have a vested interest in seeing that there is a referendum, because who would get a share of the \$50 million which a referendum would cost this country? It would be the media. The print media would do very well out of it. So we have to be mindful of the cost of a referendum. It is terrible when you have to consider legislation as well as considering all the other aspects involved. It is almost corrupt in that respect.

I see this as a Committee Bill and legislation by regulation. I have been in Parliament for 26 years and I have consistently supported my Leaders in opposing legislation by regulation. It is very easy to do that from an Opposition's point of view, but in Government it is a difficult matter. I appreciate the situation the Minister is in. He has been given a very difficult task by the Prime Minister and his colleagues, the other Police Ministers around Australia: they have to bring in this legislation. They have been forced to do it. Yet we in South Australia had the best firearms legislation in the country. Whoever advises John Howard, the Prime Minister, should have been aware of it. I believe there was a South Australian on his staff who should have known that the South Australian legislation was brought in and supported by us after a lot of consideration and much work. As you know, Mr Speaker, you and your colleagues involved with firearms and sporting shooting worked hard to achieve legislation which was acceptable to all and which was workable.

Tasmania and the other States in this country did not have that legislation. I do not see why we have to lower our standards, but this often happens in relation to the Eastern States: we are always asked to reduce what we have to conform with what they want. So there are problems in our accepting each and every clause in this Bill. I do not think I have ever had so many calls, so many letters and so many representations on one single issue, and by golly they were very emotive. We have debated prostitution, abortion and capital punishment—and all the other moral issues—in my time in this Parliament, but this has been the toughest of the lot. But we have had critical editorials in the *Advertiser*. I will not rowtow to certain sections of the media regarding who will run this country.

I challenge the Editor of the *Advertiser* and I challenge anyone else in the media to do what I have done for nine elections: they should go out into a marginal seat and listen to and represent the people, because that is what the people expect. They want their voice heard in this Parliament even though it might not suit everyone to hear what they are saying. A letter written to me by a person who lives in the north of Adelaide states:

The information in the amendment Bill that is of most personal interest [to] me is that it confirms my earlier belief that my husband and I don't qualify as primary producers as we don't earn our living from primary production, so he will therefore not be eligible for any limited access to class C firearms that may be permitted to primary producers. If 'crimping' is allowed he will be able to keep his semiautomatic .22 rifle and his pump action shotgun, but if they are limited to two shot magazines, the shotgun will not be any more use than a double barrelled shotgun for dog control.

We would like to see any access to class C firearms that primary producers may be permitted extended to any rural dwellers with a genuine need. I don't see why it should be limited to those earning their living from primary production. Our sheep are just as much at risk from dog attacks as those of our friends a few kilometres away. The only difference is that, as our friends earn their living from farming, they may be entitled to a suitable firearm with which to protect their sheep, while we will not.

Since receiving that letter, I understand that they would be permitted to use the weapons they have and could apply for a concession. That highlights part of the problem of people living in areas near the city and in the rural industry. I was born and grew up in the country: the best place in the world to start a life is rural South Australia. As we grew up, of an evening we helped the farmers to spotlight shoot to rid the country of foxes during lambing season. It was good fun going out on the back of an old Chev truck with a couple of shotguns and .22s. At the same time we would chase and catch live hares for our own plumpton and coursing club which, of course, has now been abolished. You cannot even chase hares with greyhound dogs—it drives you up the wall.

But people today do not enjoy the sport that we had in those days. We used the .22 rifles to direct the hares so that we could catch them with dab nets. I think it was a bit risky at times, but nobody ever got hurt or shot. We knew what we were doing. The only problem was when we were chasing a hare and up popped a fox. That was a problem, because then we would have to switch from rifles to shotguns and blaze away at the fox. You have to get a clean hit on a fox. Members may have seen a fox turn on itself to bite its wound. We did, one night: we shot a fox in the foot and, by God, there is nothing more savage than a fox that has been wounded.

So, you need more than one shot. You need a couple of shots to protect yourself, particularly running around the paddock after them. So, it is not easy. It is a terrible situation for those whose sheep have been attacked by wild dogs. We had greyhounds, and they got away from me one afternoon and got into a flock of sheep. I had to pull the dogs off the sheep, and put down first the sheep and then the dogs. There is no second choice in the country—but you must have the firearms to do it. I do not think people have really thought this through. Whilst in South Australia life has been very difficult in the rural areas, in the outback parts of Queensland and New South Wales, such as up in the north, where there are wild boars, feral goats and those types of animals that cause a nuisance, you do not use a .22 rifle; you need a decent firearm, and one that is reliable.

An honourable member interjecting:

Mr BECKER: Good. I am one of those who was fortunate enough to be called up for national service; I was

proud to be called up. The first thing was that I was too skinny, so they told me I had to put on an extra stone in weight. If they looked at me now they would reject me. One thing they taught us in national service: they said, 'Here is a .303. You will pull it apart, you will service it, you will put it together again, and you will do it blindfolded.' By golly, within about eight or nine days you learnt how to do that and, if you did not have it absolutely spotlessly clean, particularly around the barrel, you had to run around the ground with the rifle above your head.

I was in the armoured corps, so we had browning machine guns and little machine guns as well. We used to go to the firing range in batches of about a dozen. I will never forget one afternoon when one of my colleagues turned around to the sergeant and said, 'Sir, the gun is jammed.' You would never see 11 people hit the ground so fast in all your life. It was automatic; you were taught. The thing you were taught in national service—in the army and all the forces—was to respect the firearm you had, to know its capabilities and how to observe all the conditions and maintain the safety catch at all times. So, there was a group of 18, 19 and 20 year old chaps in 1954 at Woodside. Several hundred of us were taught the fundamentals of firearms safety, to know the various types of firearms and to respect that firearm and what it could do. Being in the armoured corps and driving around with stag hounds we had bigger machinery to look after and use, with which we could blast away at the range. It gave us a certain outlook on life, and was a wonderful start in life.

I have always said it is a shame that we do not have national service today. We do not need national service to train up a bunch of murderers: we need it for discipline. Most countries in Europe and elsewhere in the world have used national service for that purpose alone. It is not a bad idea to make them build bridges and roads. We could build the railway line from Alice Springs to Darwin and teach them the fundamentals of discipline, as we would teach them respect, and to look after and defend themselves. That is a big problem in this country. We are a broad, wide, diverse country. It is all very well for us in the city. There is no doubt that, if you took a survey, you would find that 95 per cent of women are horrified at the thought of firearms, and you would probably find that 50 per cent of men felt the same. The farther you go out in this huge, broad country of ours, the more you will find a different attitude. People depend on firearms for a living and for protection.

Then there is the other side: there is the sporting shooters' side. In this country, again, in the city as well as out in the rural areas, South Australians and Australians have done very well at the sport of shooting. You know, Mr Speaker, the various types of rifles and pistols that are used, from air guns and clay target shooting right through to the heavy guns. It is also the disabled who can enjoy that sport, so at least, through the legislation, those who enjoy the sport are saved and protected. At least they will be able to pursue the sport they enjoy and want to participate in—and so they should. Nothing could be worse than to be told that, because of an incident, we will introduce legislation that provides that your firearms will now be confiscated.

Again, every member in this House knows that one of the worst decisions we have to make or get involved in from time to time is compulsory acquisition of property. How often do we find that, when a freeway is built or designed, property—real estate—is involved? We never seem to get resolution that everybody gets a fair go. We never get resolution that whatever is paid in compensation is fair value, because

everybody has their own price for it; everybody knows what it is worth to them and the Government or local authority does not care, because it does not mean anything to them; it is not part of them. But it is different for those who collect, who treasure and who have worked and saved hard. Young people in my electorate have gone out and delivered the Messenger newspaper in rain, hail or shine; they have worked at the local supermarket and scrimped and saved every penny they can so that they can enjoy the sport of shooting with their parents or grandparents and so they can have their own rifle. They will lose that. It is a pretty mean, miserable Government or organisation that would take those firearms from them and give them some sort of compensation. That compensation will never be enough. It will never compensate for the hours they have had to work and save.

It is the same for the working man. As you know, Mr Speaker, in sporting shooting, all are equal, no matter who you are. You could be the managing director of BHP or Charlie the mechanic at the local service station. You all use the same types of firearms and choose the types of ammunition and the best weapon you can get to assist you with your sport, and you all pay the same price. So, the mechanic at the service station will pay a lot more, because he will have to work a lot harder and go without to get what he wants, whereas it will not worry the managing director of BHP; it is pocket money or petty cash to him. It is pretty cruel, when you come down to the tin tacks of the issue, to say, 'You can no longer have that; we want it.' It smacks of Big Brother and pretty dirty, lousy government as far as I am concerned.

I am very disappointed that our Prime Minister has put our Minister in the position of having to guide this legislation through this House. I often wonder where we are headed and what the future holds. As the member for Gordon said, we have to consider a whole range of amendments. Part of this legislation goes to regulation—rules that we will be guided by and use in the future. We do not yet know what those regulations are, and will not know until they are brought into this House. This legislation will go on for years. When regulations are brought into this Parliament they must lay on the table for 14 sitting days. We cannot amend them; we can only reject them. The Government has to start again and bring back a new set of rules if they are rejected by Parliament. It can go on and on. Whether we have control over those regulations is another issue. Whilst there might be similar legislation in each State, there is still doubt that the regulations would vary from State to State. I hope not.

The only other point that annoys me is that the levy to pay for the compensation has already commenced. It commenced from the first pay period in July. That .2 per cent is being deducted from every pay-as-you-earn worker in this country, and that annoys me as a matter of principle. I find it difficult, because I support a lot of the things that were said by the member for Florey, given his research, knowledge and detail, and I will wait to consider his amendments.

Mr LEGGETT (Hanson): I rise to speak on my concerns regarding this Bill and the unseemly haste to push it through without time for proper consideration, review or debate. Most members have had little time to absorb the detail and understand what it will mean, and to assess how it will work, what effect it will have on the community and what it will achieve. I confess that I have doubts on some of the above.

My most serious concern is the lack of information and the insufficient time members have had to consider the Bill and its implications. Whether or not one knows something about

firearms is really irrelevant. My knowledge is very limited, although I have learnt a lot in past few weeks. As a young boy in the country, I shot a Daisy airgun, but that is the limit of my experience with firearms. I was not exactly a hazard. Common sense tells us that all scholars in their search for information and learning turn to the textbooks and to those who know, and we need to do that with this Bill, and that is imperative.

Some of my concerns have been confirmed by my parliamentary colleagues and by some of the people to whom I have turned for knowledge and advice, bearing in mind that I knew very little prior to the drafting of this legislation. This Bill takes the Prime Minister's proposals to the Police Ministers' conference and the resolutions from that conference, and turns them into an opportunity to write new laws far beyond what we were told was the problem. We need to ask: what is the problem? Is it too many types of dangerous guns, too many guns *per se*, or is it a wider agenda? Is there some problem in our society that leads to the tragedies that this move is purported to solve? Could it be the prevalence of violent and pornographic material, which is easily available to anyone—the young, the immature, the mentally unstable? I refer to videos, television, electronic games, etc. Could it possibly be that? I believe that violent and pornographic material is a very real factor.

Could it be the mental health question that arises so often? Evidence provided to me indicates that authorities elsewhere in the world—New Zealand, Great Britain, Canada and a host of other countries—have determined that mental health is the real issue. It was acknowledged by the Prime Minister in a pre-election policy on firearms that the Coalition would place priority on these issues and would not introduce a program of restrictive firearms legislation. A rushed priority, which must be passed before there are any doubts, has been put into place, but not on violence or mental health as promised but on restrictive firearms laws. Many of my parliamentary colleagues share my concern. We are in danger of reinventing the square wheel. We know from the experience of others that it will not work; nevertheless, we will have the square wheel any way.

There is no doubt that this issue has raised the most concern among constituents. As the member for Peake said, this has been a very provocative topic. I have also dealt with people on issues such as euthanasia and prostitution and this has attracted the most interest by far, from people who have rung, written or called into my office on a daily basis to give me advice and to teach me.

The Australian Constitution provides for Government by the States for certain matters and this is one of them. No-one denies the need for uniform gun laws. We all accept that. South Australia has been pushing for that for some time and members may be surprised to know that gun owners—the derogatorily tagged 'gun lobby'—have, in many instances, been advocates of this, long before the tragic Port Arthur massacre of 28 April when 35 innocent people lost their lives at the hand of a crazed gunman.

For many years they have advocated a prohibited persons' register, which is a list of people with known disorders or mental history which would make it unwise or unsafe for them to own a gun. They realise that it is a wise and proper safety measure that is far too important to be ignored. The Prime Minister recognised that, too, and made it part of the Coalition policy on firearms, which was distributed in October 1995 prior to the 2 March election. It states:

While supporting the general right of individuals to own firearms, that right should not extend to people who have a record of instability, violent crime or the unsafe use of weapons. The Coalition supports a national register of prohibited persons who should not be allowed to purchase or own firearms and who, by definition, should not be able to hold a current shooter's licence.

Now it is considered unworkable by the Government or its advisers. What happened? Why has there been a change? Could it be that the Australian Medical Association (AMA) did not want to put its money where its mouth is? Could it have financial or insurance repercussions for that body? Should that be the reason for deleting an essential safety provision? Who is driving this policy? Who is making the laws in this country?

In this State it is members of Parliament who are elected to make the laws in South Australia. South Australians elect us to make laws for South Australians and, if laws proposed by anyone are bad laws, it is expected of us to question those laws or their bad aspects and correct them. The print or electronic media should not attempt to influence us to pass bad laws, or even to have the audacity to call us craven cowards. By questioning laws, I do not believe that we are cowards. Rather we bravely stand up as spokespersons for the constituents who elected us. We are expected to frame good, workable laws and look after the interests of South Australian citizens, all South Australian citizens, including minority groups, provided that their interests do not injure or adversely affect other people.

I, too, have been presented with statistics which give me reasons to worry about the proposals. They do not represent a situation that warrants this legislation; at least there is more than good cause to question it, and I am not alone in this regard. Concern has been expressed not only by State MPs but also our Federal colleagues that something is wrong. We in South Australia and all States are being pushed into legislation. I suggest that we take a close look at what is being proposed. Is it necessary? Does it go too far? Is it too restrictive? Will it work? How will it affect all parties?

As has already been mentioned by a number of speakers, Australia's first gold medal at the Atlanta Centennial Olympic Games was won by a trap shooter, and he has indicated that he is concerned how proposed new gun laws will affect his sport and his ability to compete and defend his gold medal at the Sydney Games in 2000. The Deputy Prime Minister, Mr Tim Fischer, has been quick to announce that it will not, but he has done so in terms which are not absolutely clear. A press release after the Police Ministers' conference last Wednesday indicated that the Commonwealth Government would allow an increased exemption to that originally announced for Olympic competitors, as follows:

Ministers agreed in principle to examine further the question of access to category C shotguns for a restricted class of clay target shooters in order to ensure effective representation by Australian competitors in Olympic, Commonwealth and other recognised national and international events.

I ask members to note the emphasis on 'competitors in Olympic, Commonwealth and other recognised national and international events.' What does 'recognised' mean? What about State titles? What about club championships? The Deputy Prime Minister's statements hardly clarify that matter.

As an ex-teacher I know that education and training, whether in academics, technology or sport, begins at the grass roots, at a young age or at least at an early stage in one's development in a particular field. Olympic or Commonwealth shooters are not created overnight. They begin at club level,

often as children within families participating in shooting as a family sport and recreation. Mothers often participate as well as fathers. They progress through clubs and club events, State and national championships to reach international status.

The Ministers' press release makes no provision for this. If we do not have participation at club and State level, we will not have national events because eventually we will not have any skilled competitors. You do not have to be an Einstein to work that out. It is like having the AFL but banning the South Australian National Football League and junior clubs. Where then do the AFL footballers come from? May be we could find the answer, telephone the Crows and tell them; at present they need all the encouragement and help that they can get in their hour of need.

It also should be noted that the Australasian Police Ministers' statement also said that it only 'agreed in principle to examine'—to examine, not implement. This is wrong. It must be amended, and we are the body to amend it. Will we exempt one shooting discipline or activity in favour of another that uses the same firearm? Will we say that one event is safe and others are not? Will we have an exemption for what is considered standard and safe all over the world?

The Australasian Police Minister's statement also included the following:

A new regime to regulate heirlooms and collectors' firearms was agreed upon. The arrangements are consistent with the 10 May resolutions but take proper account of the special interest held by owners of these firearms.

We must fulfil our obligations, and I certainly intend to do so: to review the Bill and, if amendments are required to make the law fair and workable, I propose to support those amendments.

Mrs KOTZ (Newland): I do have several reservations about this Bill, but like all responsible legislators I recognise the necessity to implement strong controls on gun ownership and equally strong penalties for those who refuse to accept the laws of this State and, indeed, this country. It is also necessary to put clearly on the record that the present South Australian firearm laws have provided the most stringent controls of any legislation throughout Australian jurisdictions. South Australian laws have already banned automatic weapons; South Australian laws have already imposed severe restrictions on semiautomatic weapons and stringent conditions on licences for the use of semiautomatic weapons. South Australia established gun law reform and set new standards with requirements such as compulsory training for all gun owners and the registration of all firearms in this State. These are part of South Australia's current gun control legislation—current, operational, up-to-the-moment law.

There were certainly areas in which we could still move legislatively to exert even greater controls including the introduction of photographic firearm licences; tighter laws in relation to firearm confiscation in cases of domestic violence, criminal offences and mental illness; and uniform laws on the storage and security of firearms to equal South Australian storage and security measures already in place. Our laws could have been proclaimed as model laws for national legislation. However, they did not get a mention. The media driven debate was one of great ferocity and undeniable hypocrisy.

People in the community today still believe that they will glean accurate, unbiased information from the media. Three weeks into the gun debate I was listening to a radio interview.

I do not know the name of the commentator but a gentleman from the public telephoned and asked the commentator whether, in fact, he knew that South Australia had banned automatic guns. The commentator said 'No.' The caller then asked the commentator, 'Are you aware that there are severe restrictions on semiautomatic weapons?' The commentator replied, 'Are you pulling my leg?' The caller then suggested that the commentator telephone the firearms branch to find out exactly the provisions of the South Australian law on firearms.

That was not the only media debate that had been ensuing for several weeks at that time. After listening to several different people give their opinions on firearms—all incorrect information, I might add—I recall hearing Philip Satchell make the amazing statement, 'Yes, what a good idea, perhaps we should look at firearms legislation and find out what the current law is all about.' This is after the debate had ensued; this is after people had stated their opinions on local radio. Thousands of people across the State had listened to the garbage which had been verbally presented to them without once checking the facts. This was the level of information and debate which was fuelled by emotion that went far beyond reasonable and factual debate and which should have been ensuing to seek further compromise and negotiation on all sides of the argument for gun control reform.

The firearms legislation debate has also been degraded by further misinformation which has been actively promoted by some members of gun lobby groups and the pro-gun control lobby group, but far more damaging to the cause of both groups has been the publicly stated threats, the intimidation and attempted manipulation in letters to members of Parliament who ultimately uphold the responsibility for any legislation on this issue. Thankfully, I put on record that only a minority of individuals believe that their opinion can be enhanced in any way by adding a threat to support their opinion. For a member of Parliament to carry out their representative duties and uphold the democratic principles inherent in our system of government, we must be able to perform those duties without fear or favour. I do, indeed, thank everyone who wrote to me or telephoned my office with their opinion on this Bill and did not indulge in threats or attempted intimidation. To the handful who did seek to do otherwise, I can only suggest that their opinions created in threat are invalid.

I am disappointed that in attempting to put forward national uniform legislation the process which should have included greater consultation with all parties, including State members of Parliament, has not proven to be rigorous and more defined. In attempting to implement national uniform laws it would appear that little thought was given to the fact that State members have the ultimate responsibility to consider and vote on the new gun control reforms.

Therefore, they should have been given greater consideration in the policy making process. Good laws are not made in haste, nor are they made through disputation. The member for MacKillop and the member for Gordon have stated the obvious in their contribution to the debate but, in doing so, have validly placed on record that, if these laws are not passed, a referendum could indeed be the outcome. Every gun owner, shooter, collector, dealer and any other person involved or interested in this debate who has had the opportunity to learn how little people generally know about existing firearms legislation, and how much misinformation is alive and well in our community, would surely understand that a referendum would support gun control, which could

mean that greater reforms than anticipated at present could very well be the outcome.

The legislation enables gun owners to have a vast range of gun ownership and caters for licensing under special circumstances. That, indeed, will still be considered. I also put on record my admiration for the thousands of members of gun owners' and shooters' associations with whom I have had considerable discussion in the past, particularly during my time as shadow Minister for Emergency Services, handling one of the many Bills on firearms legislation brought into this Parliament by the former Labor Government but never proclaimed. I found the people I dealt with to be reasonable, responsible and anxious to talk through all aspects of the legislation and to look at negotiating to bring about a consolidated approach that could be accepted by all Parties. We did that with the current legislation, which was proclaimed.

I would like to read into the record a couple of letters from people who have written to my office with a reasoned and logical approach as to why they believe firearms and the use of firearms for their own purposes should be maintained. The first letter is from a woman who writes from her own experience, as follows:

The main purpose of firearms on farms is to kill feral animals, injured stock and dogs attacking sheep, and it is not a matter of how many firearms are included on the list of permitted firearms, but rather how much they are used for those purposes. Our main purpose for keeping firearms for farm use is to protect our sheep from dog attacks. We live in a high risk area for dog attacks on sheep as, although the area is rural, it consists mainly of market gardens and five to 10 acre hobby farms. The people moving out here have little idea of what their loved family pets can do to sheep if allowed to wander, and I seriously doubt if many would care if they knew. City politicians generally have no experience or understanding of the problems faced by country people. Once a dog has attacked sheep it will keep returning unless it is stopped.

The law allows sheep owners to shoot dogs attacking sheep or found on a property where sheep have recently been attacked. The law states that the dog must be killed before it leaves the property and not be allowed to escape wounded. Dogs caught in the act of attacking sheep don't sit there like rabbits and wait to be shot in the head by a well aimed low powered bullet. They become fast moving, hard to hit targets and the chances of a clean head shot with a .22 rim-fire rifle are remote. We have found from many past experiences that the best non-military firearm capable of bringing down a dog or dogs quickly and humanely is a pump action shotgun loaded with OO/SG buckshot, and it is safer too, because when the target is missed the pellets don't travel more than 200 metres.

Our Federal and State Governments are going to take my husband's pump action shotgun and leave us a choice from the so-called extensive list of permitted firearms, none of which is of any use to us, for the following reasons.

It is also important to read into the record this woman's description of how these guns are of no use under the circumstances she has described. She states as follows:

Category A, all airguns: not much use except for target practice or shooting birds, rats or mice.

Rim-fire rifles, whether single shot or repeating action: okay for shooting rabbits, but not dogs unless with a fluky head shot.

Single-barrel or double-barrel shotguns: okay for dogs if there is only one dog, which is often not the case, and you are lucky enough in the heat of the moment to get it with your first or second shot, as it/they will be gone before you reload.

Category B, muzzle-loading firearms, old or new: target shooters only. No use to farmers at all.

Single shot and double barrel centre-fire rifles: they will bring down a dog all right, again as long as you get it with the first or second shot and as long as you are not concerned where the bullet will end up if you miss. It can travel up to 10 kilometres. No responsible firearms owner would use it for this purpose in the area in which we live.

Repeating action centre-fire rifles: these would do the job as well as if not better than a pump action shotgun but, as with single shot and double barrel centre-fire rifles, no responsible firearms owner

would use them for this purpose in the area in which we live, because of the distance a bullet which misses its target can travel.

Break action shotgun/rifle combination: useless for the same reasons as single-barrel or double-barrel shotguns.

The woman goes on with a considerable amount of very reasoned debate about why the particular guns that she and her husband are using are of value to them. I also read into the record another letter, from a farmer's wife in this instance, and it is true that the letters I am putting on the record are both from women. The letter reads:

I am writing to you about the gun law proposals. I am a farmer's wife living 25 miles north-west of Ceduna. My husband Kevin and I have three children and have been married over 21 years. Kevin has owned, used, collected and registered firearms for over 30 years, 25 of them as a member of the Ceduna Pistol Club. He has been a hard working, conscientious President there for over 11 years, is a licensed firearms instructor, teaching safe shooting, gun safety and promoting the stringent laws South Australia already has. Guns have been registered in South Australia since 1919. At no time in the almost 30 years that I have been involved with him have I felt threatened or frightened by his guns or his attitude towards them. His guns are locked in safes, in a locked and secure building away from the house.

Living on a farm next to Koonibba Mission, we are regularly visited by packs of sheep killing dogs, one time coming across the evidence of a killing frenzy. In one area they'd killed four sheep and, amazingly, two foxes. Further examination of the paddock revealed another 12 very badly mauled sheep trying to shelter in the scrub. What a terrible day that was! We found and shot the five dogs who were still stalking and killing on the property. Pump action shotguns and semiautomatic .22s are essential for this reason. There is a huge upwelling of anger within licensed registered gun owners in our town, as well as all across Australia, with many saying they will not hand their guns in. They are not criminals, they haven't done the wrong thing.

The alleged Tasmanian killer was not a licensed, registered gun owner—track down people like him! You know where our guns are—look for the illegal ones!

These are the people whom the gun control reforms will affect, and there are many others in our community, including families and family members, and I believe several members have also mentioned many other responsible firearm owners with whom they have come in contact. It just remains at this stage to say that the Port Arthur tragedy was indeed most horrific, and I pray that none of us ever sees its like again. If removing every gun in Australia would guarantee that such an inhumane act would never again be possible, I would be more than glad to stand here and move a Bill to enact that requirement. Unfortunately, I have no such belief. I look forward to the rest of the debate and the Committee stage.

Mr ANDREW (Chaffey): I am pleased to contribute to this Bill tonight. I, like all Australians, was appalled and extremely saddened at the Port Arthur massacre on 28 April this year. I know that our heartfelt and deepest sympathy continues to be extended to all those directly affected by that tragic event. It is only right and proper that every effort is made to ensure that such a tragedy does not happen again or, as practically as possible, that we reduce the likelihood of such an event happening again.

As I have indicated, I particularly acknowledge that, as a legislator, I have a real responsibility to support and facilitate that process so that that sort of event will not happen again. The Port Arthur tragedy has undoubtedly reaffirmed to the community that gun laws across Australia need to be further strengthened and tightened—a direction that I personally support strongly—to minimise the potential harmful effects of firearms in the community. To achieve greater control, particularly in some of the other States—and I emphasise this—there is no doubt that strong leadership and determination is required. To this extent, we are being appropriately led

by Prime Minister John Howard. I respect and acknowledge the Prime Minister's resolve in this regard. In doing so, I support the general thrust of the principles agreed to at the meeting of Commonwealth Police Ministers on 10 May. I accept those proposals because of their national uniformity and the expectation that they will significantly improve firearm control across this country and particularly in a number of the other States.

I believe that the current laws in South Australia work well. They set a high standard compared with other States. The degree of effective improvement in gun control in South Australia resulting from the proposals in this legislation will I believe be nowhere near as great as it will in terms of the passage of similar legislation endorsing these same principles in other States, particularly New South Wales, Queensland and Tasmania, which have had nominal or minimal firearm controls in the past.

Notwithstanding my general support in this regard, there are three main areas in which I have real concerns: first, the process of the proposals that have been promulgated over the past three months; secondly, the degree of restriction on the use of some semiautomatic firearms; and, thirdly, the issue of crimping. I have voiced my concerns strongly to my colleagues in the Party room, and I will come back to those in more detail shortly. I also have some concerns with specific aspects of some of the amendments, particularly with respect to compensation and appeal mechanisms, but given the time available to me this evening I think they will be best dealt with in Committee.

I declare a personal interest in the gun issue, and I make no apology for that. I am not a pro-gun member or a 'gunaholic' in any sense of the word, but I am a licensed gun owner with some registered guns. I grew up on a rural property. As a teenager, I began with an airgun. I was a regular spotlihter as a teenager shooting rabbits and foxes on northern Mallee farms. That interest continued in university. I spent a number of years in the Air Force Reserve. I had full military training, and I actually topped my course in the use of the SLR and the 9mm Browning pistol. To reinforce that interest locally, my electorate in the Riverland has a large number of primary producers who need a range of firearms. I recognise that there is a real number of sporting shooters, who, either individually or as members of pistol and rifle clubs or field and game clubs, for recreational purposes wish to continue their interest in their sport. I believe that I have a real empathy with shooters and shooting groups in my electorate, and I recognise their needs and interests.

I support the second reading of this Bill in the interest of progressing it to the Committee stage. However, I reserve my opinion in relation to a number of the proposed amendments. Indeed, I have already foreshadowed that I will move some specific amendments in Committee. I also want to put on record my support for almost all the 11 principles agreed to at the 10 May Police Ministers meeting, which was held as a result of the Port Arthur massacre.

Although time will not allow me to comment on each of them in detail, I would like to brush over them. First, with respect to bans on specific types of firearms, this is the only area where I have some concern, particularly with respect to the classification of some semiautomatic firearms, as to how they are classified, relating to the diversity or flexibility of the use of those firearms. I will return to that shortly. Secondly, with respect to the nationwide registration of all firearms, I understand that New South Wales, Queensland and Tasmania

are specifically required to establish this national registration system, in conjunction with the national exchange of police information. South Australia quite obviously sets that example and has that registration system now.

In relation to the third issue, the genuine reason for owning, possessing or using a firearm, I support the way that has been developed and promulgated into the Bill. My understanding is that almost all those shooters who have a recreational interest, whether as a sporting shooter, a member of an approved club, a recreational shooter who can obtain permission from a landowner to carry out shooting on that property, or a person with occupational requirements, such as a professional shooter or primary producer, will be accommodated under the proposals in this Bill.

As to the fourth issue, I endorse the base licence requirements with respect to being 18, being a fit and proper person, being required to undertake satisfactory training, for a photographic licence and the waiting period of 28 days for a licence. I know that South Australia at this stage has all those requirements except in respect of the photograph. The fifth issue, with respect to training, is not an issue for South Australia because, since September 1993, applicants for firearm licences have had to do accredited training through a TAFE firearms training course, so that is consistent with South Australia's current practice.

Generally, I see no major problem with regard to the sixth issue concerning grounds for licence or refusal or cancellation and seizure of a firearm. As to the requirement such as to be of good character, in other words, not having been convicted of an offence, whether it be specific or a conviction for assault, or the evidence required as to mental and physical fitness, again, South Australia has already been meeting most of these requirements since the 1980s. Since 1 September 1993 South Australian legislation has required that medical practitioners have a duty to inform the Registrar in this regard.

With respect to the seventh issue, a permit to acquire a firearm, with a separate permit for 28 days to enable a check to be carried out on licences, South Australia has been operating in this manner since September 1993. As to the eighth issue concerning uniform standards for storage, again, South Australia has been operating in this manner since 1993. I am pleased to support and endorse the issue of the recording of sales through firearms dealers or a person nominated through a registered gun club.

As to the tenth item dealing with mail order firearms with respect to the issue of recording sales, again that is consistent, and I support it. With respect to compensation, the eleventh issue, although I have some concerns in that regard, it appears to me from the published amounts in today's press that, in general, they seem to be fair and reasonable, and it may be dealt with further in Committee. That short summary illustrates a consensus that has been put very strongly in the vast number of representations to me, that South Australian laws are working well and they are appropriately recognised as being a useful and respectable standard that would have been appropriate to work from for a national standard.

I want to return to those main areas of concern I mentioned in my introductory comments. First, in relation to the process that I indicated, I must say that I believe the process of arriving at this piece of legislation has not been satisfactory with respect to consultation. Consultation could and should have been more extensive. It has been put to me that, because of the strong autocratic Federal approach in producing this legislation, comment by State and Federal representa-

tives has largely been denied. I acknowledge that leadership is required, but the emotion engendered at the time lends itself to more moulded public support. Of course, that in itself does not guarantee or facilitate the best legislation.

This is the first time in 2½ years in this place that I have not felt comfortable in terms of the full democratic process with regard to legislation. I believe that this legislation has been rammed down the throats of the States with Federal force, no doubt with great moral intent. I am proud to have been part of the Liberal Government of South Australia because, with the exception of this Bill, we have introduced some good legislation. Whether it be through the backbench committee or the toing-and-froing in the Government Party room process, I have always felt comfortable about being part of the democratic process. However, that has not been so with this legislation. This legislation is top heavy on control by regulation, and that is not the best way to govern a State.

My second area of concern is the degree of restriction on some of the semiautomatic weapons, particularly pump action and semiautomatic shotguns and low power rim-fire rifles. I have no doubt that this is the core of the issue in terms of flexibility and classification of use by gun users. I reject the need for any automatic and semiautomatic military style weapons.

I come back to the semiautomatic and pump action shotguns and low power rim-fire rifles, particularly with regard to primary producers. I was concerned that they might not have needed such weapons, but I am now confident that the need can be justified without too much difficulty. The legislation recognises the legitimate need of primary producers to use firearms, particularly category C weapons—semiautomatic and pump action shotguns—because I believe they are the most effective control measures in many instances.

In that respect I point to some examples in my electorate. I refer not only to mallee areas with respect to vermin control—for example, foxes—but, more particularly, to horticultural areas, particularly wine grape regions. Bird damage is a significant impediment to high value chardonnay production. My electorate also has the largest area of almonds in the southern hemisphere. It has one of the largest almond orchards as well as a significant growth in the almond industry. Semiautomatic and pump action shotguns are fundamental tools of trade in protecting those crops. They are used in conjunction with other control measures, such as bird scarers or aeroplanes, so it is important that their use be maintained. As I said earlier, I feel comfortable that that will be possible.

I acknowledge that sporting shooters feel justifiably aggrieved at the greater restriction on category C firearms that is required under this legislation. It will cost many of them more to change their firearm, and that is an unreasonable imposition. Existing State legislation has exemplified that category C firearms are not a major threat or problem and I do not believe there is evidence to support further restrictions on their use.

There is an interesting inconsistency in that pump action centre-fire firearms are allowed under category B, yet pump action shotguns are not allowed. I am sure there are fewer in the former category, but it is clear which would present the greatest danger in the wrong hands.

I support crimping on the basis that it is not inconsistent with the Prime Minister's objectives. It limits fire power, allowing no more than that of some weapons that would otherwise be available under category B. I do not believe that

satisfactory crimping goes against the principles agreed to by the Police Ministers. While there should be greater flexibility with some of the semiautomatic weapons to which I have referred, I strongly believe and will continue to believe that crimping is and will continue to be a fair, logical and practical option. As a compromise, it will allow most owners of category C firearms not only to retain them but to use them effectively.

I put on the record that there is no doubt in my mind that, if a referendum were held—and I have discussed this matter with my constituents—and if it involved greater Federal control and implied more control of semiautomatic weapons, gun owners could be worse off if this compromise was not progressed. For that reason, and as I have already foreshadowed, in Committee I will move an amendment in relation to crimping.

Time does not allow me to give a detailed summary of all the representations I have had on this issue, but I believe that I have consulted openly and widely in my electorate. The letters, phone calls, personal discussions and representations with constituents and organisations in my electorate number well into three figures. I have also had contact with many people outside my electorate but, certainly, I have concentrated on and given the greatest attention to those in my electorate. I have known a vast majority of the people in the Riverland who have contacted me. I can vouch for the gun owners known to me as being law-abiding, responsible citizens who have participated in positive and constructive dialogue in their attempt to maintain their sport, their interest or their livelihood and, at the same time, recognise public opinion. Certainly, there have been no gung-ho cowboys in my electorate making representations to me. Early in June I included a survey in my regular electorate newsletter regarding the gun issue and about three-quarters of responders regarded current laws in South Australia as being adequate. That is consistent with the other representations.

I look forward to the Committee stage, in which I expect and intend to get further clarification. I trust some amendments will be carried to make this Bill fairer and more practical, achieving, through some of the major and important national uniformity aspects, more effective and stricter firearms control in the interests of all Australians.

Mr VENNING (Custance): For the information of the people of my electorate of Custance, I declare that I own firearms but I am hardly a regular user of late. I do not own a firearm that would be confiscable under this Bill. I own three shotguns, three rifles and one pistol for which I have a licence. I have had an association with firearms for most of my life, first on the farm during my younger days when the annual fox shoots were long awaited by the young farm boys: I participated, first as the gate opener, then as the spot operator and then as the shooter. The member for Playford has been in the back of my utility, and it was the greatest temptation of my life when I was driving as one flick of the wrist would have seen plenty of action! We did not have the high sides fitted; I had compassion; and we enjoyed the night. It is an indication of how the matter of firearms generally can cross all political boundaries, as this evening's discussion has shown. The passion for our firearms by all involved has crossed all political boundaries.

During my secondary schooling at Prince Alfred College, I joined the cadet corps. I was an active member of the school's Dean Range rifle team, and I was indeed proud to earn my crossed rifles, which is an award for crackshooters,

and I was also offered a citation to that. I participated in the Queen's Shoot at the Dean's Range, and that is one of the highest awards that a young shooter can achieve. I also participated interstate. Although I was not a Rhode's Scholar in those days, I was a good shot, especially with open-sided .303s. In 1986, I was called up for two years national service, and again my interest in firearms saw me at the range, this time with SLRs, ARs (the automatic rifle) and the GPMG (the general purpose light machinegun). I was posted to the artillery with the 111 battery, and I ended up shooting a much larger gun—a 40 millimetre Bofor rapid fire anti-aircraft gun, which has a projectile of four inches in diameter.

So, I have had my share of shooting and had that interest all my life. Also in this role in the artillery, I was issued with a hand gun and became proficient in its use. I acted as a bodyguard for the Battery Commander. I was a fit chap in those days and was fairly handy with a Colt 38. I had a special licence, and per kind favour of the Police Commissioner of the day—none other than Harold Salisbury—I still have that licence and a .22 pistol. That is where my interest in firearms arose, and many thousands of my constituents, who are very law abiding citizens, share this interest. Over 90 of them have called to see me, mostly at the office. I understand and appreciate fully the predicament with which we are all faced.

These people, who own and use firearms for many reasons, are the pillars of our community. I appreciate their representations. I never felt pressured or threatened, irrespective of what the media might try to tell us. One constituent has approached me several times. I was most impressed with his attitude and passion for his hobby: I was quite moved by it. This man, who has a great passion for his hobby and recreational pastime, regularly walks the valleys of the Barossa, the Jacob's Creek and other creeks with shotguns for shooting foxes and a small bore semiauto rifle for rabbits, quail and other non-protected birds. He obviously enjoys his recreation with a passion. He is most apprehensive about the changes in our gun laws. This man and thousands of others like him wonder why we must face these imposts.

Already in South Australia we have the strictest gun laws in the country. We have already outlawed the nasty military style weapons. They wonder why they now have to pay a severe price for the inadequacies of the Queensland and Tasmanian Governments. As the member for Playford said—and I do not often agree with him—those States have been irresponsible and negligent in allowing military style weapons, especially the Chinese variety, into Australia. Such weapons have crossed State borders, many into our own State. One or two of my constituents—friends of mine—have owned some of these vicious firearms, and I have seen them, more out of curiosity than for any other reason. However, most of those people got rid of those firearms after we addressed our gun laws back in 1992 and the regulations back in 1993. A friend of mine in Jamestown had an amazing arsenal back in the late 1980s. I know that they have all gone, except for a semiautomatic .22 and a two shot side by side shotgun.

Our laws have been respected; our gun owners have been responsible and have got rid of their nasties and licensed the rest of their legal firearms. They have been responsible and they should be rewarded, but what do we do? We reward those who have done the right thing and registered their firearms by confiscating them and, worse, by making them criminals if they do not. What about those who did not do the right thing—those who kept illegal firearms and did not

register their weapons? They have been rewarded by anonymity. There are no records of their firearms and we know what will happen: they will just disappear. Australia is a big country. We have thousands of hectares where these weapons will be just 'lost'.

So, we are confronted by a very difficult situation. I am also fully aware that the majority of Australians (I estimate between 60 and 70 per cent) are in favour of severe restrictions on firearms. However, I also believe in the principle that the majority point of view should not always prevail at the expense of the minority. I know that about 65 per cent of Australians would be in favour of reintroducing capital punishment. Using the same theory, will we reintroduce the death penalty? Is the argument not similar?

The Hon. Frank Blevins: What do you think?

Mr VENNING: No. I personally believe, and always have believed, in capital punishment, but I know the difficulties of legislating for it here, as I do with this Bill. Exactly the same rules apply. I recognise the tragedy of Port Arthur. It was a very dark day in our history, and my heart goes out to all those who lost loved ones there. It was a shocking tragedy, and one that none of us thought could happen in our beloved Australia. However, it did happen, and now we are seeing this violent overreaction.

As the member for Playford said, why blame only the firearms? What about the violent videos, the horror and violent movies, the Arnold Schwarzenegger-type Rambo who are cult leaders, whom many of our younger people look up to? This macho, Rambo-style rubbish is allowed to permeate our airwaves on TV and brainwash our citizens. How many of these videos did the alleged offender at Port Arthur have? He had hundreds if not thousands of them.

I am shocked to see the reaction of our young people to this. I shudder when I see—and I do not see it willingly—the way the young people just laugh. If we consider the new generation that is tolerant to violence and desensitised to drugs, including alcohol abuse, no wonder we have a problem. We need to attack the cause, not only the problem, or is that too hard?

As a State member of Parliament I object to being coerced into supporting this legislation. Yesterday at the welcoming of our new Governor, the Premier said very aptly that the States came first in Australia; it was the States that agreed to form the Federal Government. It is the States that make up the spokes in the wheel and it is the Federal Government that is the hub. In other words, I see the States as the horses and Canberra the cart that can go only where the State horses take it.

I have never before spoken against anything that John Howard has said or done—never. I have nothing but admiration for him, but in this case I firmly believe he has it wrong. We are being hijacked, forced, bullied and coerced. We have even been threatened with a referendum. If I were the Premier I would take him on the bluff. I am absolutely positive that the Prime Minister would never take us to a referendum, because it would be a very foolish thing to do. It would be gross misjudgment for a Prime Minister, only six months into office, to take the country to a referendum. I would play the bluff on the matter. I am not the sort of person who likes to be pushed around, and with those sorts of threats I am likely to be belligerent, simply refuse and say, 'Well, you take me.' In this instance I am very sad, because in this case I am sure the Prime Minister did not do this on his own and that his minders have got it wrong and he was ill-advised and, dare I say it, acted hastily.

I fully support the banning of military style, centre-fire, high calibre firearms, with no question or doubt about it. No one has any reason for using or owning one of these vicious killing weapons. They should not be here. As the member for Gordon said earlier, the former Federal Labor Government was totally deficient when it was in power in allowing thousands of these weapons—particularly the Chinese variety, these killing machines—into Australia. It was that former Labor Government that was derelict in its duty and now we have this massive problem. I fully support the tougher penalties for illegal possession of these banned firearms. We need tough penalties because we do want to get rid of these military style weapons and we need tough penalties to encourage Australian citizens to give them up. I fully support a more accountable licensing system. We have been negligent or soft in this area and I am happy to see photographs on licences and to be strict about that. I support the cancellation of licences when people break the law, are involved in domestic violence, make threats or are involved in any other irresponsible or unlawful act.

To have a firearms licence should be a privilege for our law abiding citizens and not a right for people who are not law abiding. I agree with the member for Giles that the firearms community is not comprised of rednecks—far from it. These people are not anti-social—far from it—but they are very respected members of the community and, as a representative of the Barossa and Clare Valley regions, I can say that many people of all political persuasions have been to see me. They have spoken to me in a kind, thoughtful and professional manner and I have nothing but admiration for them because I can see their plight. It is a difficult situation for these people. Also, I agree with the argument about suicide. What is the difference between a repeater or a semiautomatic rifle used in a suicide? Sadly, we know that it only takes one shot. So why should we discriminate in that regard? Especially in rural communities suicide has a terrible impact on families and our community, but it is just as common to have gas suicides using car exhausts or poisonous gases, pills or sharp instruments.

Of the 516 gun deaths in Australia in 1994 I point out that 80 per cent were suicides. I was hoping that the modification of semiautomatic sporting style firearms by licensed armourers would have solved the problem. If crimping is not accepted, surely other irreversible welding restrictions would have done the job. Surely a lump of steel pinned and visible from the outside and welded into the magazine tube would have been an effective way to make five shot guns into two shot guns and I will support an amendment addressing that. I support much of this Bill. As I have said, I am thankful that farmers and farm workers will be permitted to own and use category C firearms, including shotguns, both semi and pump actions up to five shots and also the semiautomatic .22s up to 10 shots on their farms. I am pleased and grateful about that. I hope there will not be much bureaucracy and hassle for people to prove their legitimate use. But I am concerned that people who currently shoot on farms with the owner's approval will not be able to continue with that even with the farmer's approval. Indeed, this is the chief reason why I will be supporting the amendment on crimping or a non-reversible mechanical process like welding a cylinder or shaft in the magazine cylinder. This is the only way that many of my constituents can continue their responsible pastime.

I would now like to put statistics before the House because they are relevant and I thank the many firearm owners and clubs for the information that they have sent us. Once again,

they have been very responsible and I was annoyed by comments made by some national leaders on national television which certainly did not do the cause any good at all. When we were trying to win the day for sanity and commonsense, those arguments merely put us back in the debate. I know that most responsible owners and clubs agree with me.

Statistics show that, in Australia, the gun death rate per 100 000 people in 1983 was 4.24; in 1988, it was 4.08; and in 1993, it was down to 2.92. These figures are from the Australian Bureau of Statistics, and they include the higher rate of suicide. A lot of information has been put forward, but the cold hard facts, which I do not dispute, must be looked at in perspective. In 1994, the statistics for death by firearms (accidents and assaults) show that 96 Australians were killed; firearms (suicides), 420 deaths; vehicle accidents, 1 959 deaths; and medical accidents, 12 000 deaths (estimated). Again, these figures were supplied by the Australian Bureau of Statistics and the Federal Minister for Health in 1995. Those few facts make us understand that we really have to consider what we are talking about.

In conclusion, I want to say how much I regret this situation. I want to thank and congratulate all the gun owners and the club members and, indeed, other people who contacted me with the opposing point of view. It has been a very intense time, and I want to apologise to the many people who have rung me when I have not returned their calls, because there have been so many of them. I will attempt to return those calls in the next couple of days. I hope that they will be happy with the line that I have taken on their behalf and I am prepared to go to the end on it and support the amendment on crimping, because it will solve 80 per cent of the problems that will be encountered in my electorate.

I support much of this Bill but I want to protect the people I have said that I will support. I congratulate the Minister, who has been to Canberra on our behalf. In hindsight, it can be seen that his original comment to the *Advertiser* was not far from the truth. He said that our gun laws were sufficient, that they were very good, so why should we be dictated to by the other States that had not done the right thing? I regret the reaction that the Minister got for those comments. I give him 10 points for courage, and I know it has not been easy for him. No wonder he is going grey! I hope that the end decision will be accepted by the people, but it is a very difficult issue. I remind people that it is a State issue and, as a State member, I will have my say. Whatever happens in relation to the final make-up of this Bill, it will not be the end. I give a commitment to do all I can—whether it be by regulation or amendment. This will not be the end of this controversial issue.

The DEPUTY SPEAKER: The member for Mawson.
Members interjecting:

Mr BROKENSHIRE (Mawson): Thank you, Mr Deputy Speaker. It is interesting to listen to the Opposition but I wonder how strong they will be as we work through this debate. I know that they have had an hour and a half off and they are full of beans on the other side, but let us be serious about this legislation. This is one of the most difficult pieces of legislation that I have encountered in my short time in Parliament, but that is not because I have been lobbied by people who are against the legislation, by people who are in favour of the legislation, or by members of the media who have contacted me on the telephone or in the corridor and asked whether I support the banning of semiautomatic and automatic rifles. What a ridiculous question! South Australia

has not had automatic rifles for some time. They were merely trying to do beat up the situation.

The legislation is most difficult because it involves a matter of principle, that is, the States versus the Commonwealth. I would have expected this sort of thing to be brought to bear when Mr Keating was Prime Minister, because he took more and more powers away from the States and he was dictatorial in his attitude. However, I was surprised at the way in which the present Prime Minister has acted in this matter, and it disappoints me. But where do we go from here, and I will refer to that later.

This saga has been going on for a long time. Former Prime Minister Bob Hawke attempted to shut the floodgates in Australia, but he did not do so from places such as China, and that is where the problems with guns start. People in gun clubs and gun owners told me that they were concerned when that occurred and nothing was done to address it.

Tasmania and Queensland, particularly Tasmania, did nothing to address gun laws and, like all Australians, I feel sorry for all people in Tasmania. I feel sorry for the Tasmanian Government and everyone associated with that tragedy, but Tasmania had many years to adopt, for example, South Australian gun laws, and what did it do? It sat on its hands until it was too late. We have seen the same sort of thing in Queensland and, to a lesser extent, the Northern Territory. I knew that, when I returned home to my farm on that Sunday night and my wife told me what had happened at Port Arthur, there would be problems, because we all know that when a tragedy such as this occurs emotions run high.

We know that people sometimes make rash decisions, but I had hoped that our leaders would take a breath and show that they were prepared to assess the situation before jumping in. To that end, I thought that Mr Howard and his colleagues in Canberra simply had to look at the South Australian legislation and demand that it be adopted nationally. That would have fixed the whole problem. I have spoken with the majority of my constituency, and I believe it feels that way also. But no, that was not to be. We have heard members on the other side hammering Mr Howard, and I am on the record also tonight as saying that, as a Liberal, I am disappointed at the way Mr Howard has handled this issue, even though I know that his intentions are good.

Mr Howard visited Port Arthur and saw exactly what happened; he met with the families and he knew that he had to come down pretty hard to shake some States, such as Tasmania and Queensland. Let us not forget that the person who is driving this agenda right alongside the Prime Minister is the Leader of the Opposition, Mr Beasley. We have not seen a lot of Mr Beasley of late because he can sit back and let the Prime Minister take the flak. Let us not forget that Mr Beasley is right alongside John Howard on this issue. We also know the Labor Party's ideology in relation to guns. We know that the Liberal Party has always had more fairness, balance and flexibility with respect to gun laws and, if members opposite do not agree with that, we will wait and see what they do later tonight.

I thank my constituency for its constructive input in helping me go through hundreds of pages of documents. I thank those people who came to my office to talk to me and who felt they were losing their democratic rights, and I can understand why, particularly those constituents who came from countries under Communist rule. They came to Australia and thought they had a democratic right, providing they were law abiding citizens, to take on sporting interests, etc., and not be jeopardised in any way. One constituent came

into my office with his young son, and when I saw the gentleman at the Olympic Games in Atlanta win the first gold medal for Australia it reminded me very much of this constituent and his son.

He is a great young lad. They are a respectable and sensible family who happen to be very interested in guns, but only on a legal basis. One day, the young son could be a potential gold medallist, but we might preclude him from achieving that goal if we are not careful with this legislation. I would have liked to see the introduction of crimping, and I will be interested to listen to the debate on that issue later, as I understand that one of my colleagues will be moving an amendment in that respect. It appears that the Prime Minister has said that, irrespective of what the States want, he does not support crimping. Of all people who own guns, 99 per cent are very responsible and do not go about trying to disrupt the community or cause any trouble whatsoever.

I was lucky enough to come from a rural background and have been involved with guns since I was quite young, and I do not feel that I have ever been irresponsible when using guns. If this legislation is passed, and it appears it will, I will lose one of my guns. At the end of the day, the State is being threatened yet, as the member for Custance said, Federation in 1901 created the Commonwealth—the Commonwealth did not create the States. Once again we see another instance where the Commonwealth—after I thought we were taking a right turn rather than a wrong turn—has hijacked the States on an important issue.

There are two gun clubs in my electorate, although I have been only to one so far. I was amazed when I visited that gun club about 18 months to two years ago and spent an afternoon with the members to see how responsible and respectable they are; how they deal with young people through to senior citizens who are able to take on a sport at a young age and continue with it throughout their life. The gun clubs operate under a system where there is checking and rechecking. One of the sad things is that not enough people, particularly politicians, have had the opportunity to visit gun clubs. If politicians had taken the time to do this, they may not have rushed into some of the decisions which they have made.

I have a race track on my farm, and I get much pleasure from letting people from the Southern Districts Car Club (a very responsible car club) conduct races on it during weekends. When I saw what was happening with this legislation, I wondered whether or not the same analogy could be applied if someone went out of control with an illness and started ram-raiding pedestrians and cars, speed chasing and killing people. Would Governments then consider banning all racing on tracks? Where do we start and where do we stop? At the moment it appears that we may have gone a little overboard.

Like many people in my electorate, I have asked myself one question. Many people lobbying against this legislation have said to me that it is the mentally ill and people who do not have licences who we should worry about, and that this legislation will not fix that problem at all. I did some investigation, and I would like to put on record in support of this legislation—and this is where I have agonised over the legislation—a report by Philip Alpers which in part states:

‘Licensed gun owners and their lawfully held weapons shoot more gun homicide victims than unlicensed offenders, criminals and the mentally ill combined’ says firearms policy analyst Philip Alpers. He has carried out many studies on this subject in Australia and New Zealand. The report provides some statistics, as follow:

- Of all 70 victims of large multiple shootings in both Australia and New Zealand during 1987-93, 84 per cent were shot by a licensed gun owner;

- Of those 70 victims, 86 per cent were shot by a person with no previous history of violent crime or mental illness;

- Of all the victims of gun homicide in New Zealand over three years, most were shot by a licensed gun owner, nearly two-thirds were shot with a legal gun and 82.5 per cent died at the hands of a person with no previous record of violent crime, none were killed by a mentally ill offender and 95 per cent were killed by a familiar person.

I will not quote the rest of the report, but the conclusion states:

This study suggests that injury prevention initiatives aimed at reducing firearm related violence should continue to target those people who most commonly claim to be uninvolved. Attempts to focus attention instead on ‘criminals and the mentally ill’ should be recognised as diversions with little basis in fact.

I do not agree with all of the report, but I did want that information on the record. Considerable information has been put to me to indicate that it is always the unlicensed gun owner who commits these crimes. I think the information in the report is accurate, but I would be pleased if members could advise me if they have anything which indicates that it is not accurate. There are two sides of the equation which we must consider.

During the Committee stage I will be watching with interest to see what happens with the amendments. I have been agonising about what I will do. I know from telephone calls and the reaction that I have had on this issue that a large percentage of my constituency supports the legislation, but they do so because they want to see a safer society and because of the Port Arthur incident. I am not sure that all the constituency understands what responsible gun owners and gun clubs are saying. I am not sure that they understand how good the South Australian legislation is. In the Party room and on other occasions, on behalf of my constituents, I have tried to put some fair, flexible balance into this field. I have had a response from the Minister who went to another Police Ministers’ conference, who said, ‘No, I’m sorry but that door is closed.’

We should have a few responsibilities put into the overall arena on top of what we already have in this State. For example, we could have specific safes into which all these guns have to be locked. We could also have inspections at any time which the gun owners—and, as I said, I am one of them—could pay for, to make sure that people were abiding by that. We could also make sure that gun owners were members of designated gun clubs, if they are sports shooters, and so on. If that was done in legislation and regulation, that could also fix the problem, given that we all agree that the military-type rifles should be banned. I put those sorts of suggestions to our Police Minister, asking him to take them over to Canberra. I also put many other suggestions on behalf of my constituents. However, every time, the door was closed.

I return to my original point when I started this debate: frankly, I think we have been hijacked. In this instance, as members of State Parliament we have had a gun held at our head and we have not had an opportunity. They say we have an opportunity in here tonight, but in all seriousness we have been absolutely handcuffed. We have been handcuffed by a bipartisan arrangement in Canberra, such that they want the legislation to go through by hook or by crook. Given how determined and headstrong John Howard is, and after listening today in the Chamber, talking to my colleagues and getting some more advice from the seniors who have been

involved in this in Canberra, I do not think for one minute that John Howard will not go to a referendum, particularly because when Howard opposed crimping and said it would not happen his vote went up by 5 per cent. That just says to him, 'I've got at least 90 per cent of the people behind me; maybe I'll even have a few more, if I am prepared to hang in and be hard.' As I said, we have had a gun at our heads, we have been hijacked and handcuffed. The last thing we can afford to do is run the risk.

My colleague the member for Custance said that he did not believe that John Howard would take the people of Australia to a referendum. We should not bet on it. We should think about what has happened in just the past few months and have a look at how we, fortunately, with a bit of fair flexibility have been able to achieve some common ground in this whole debate—although we were not as successful as I would have liked. I hope that probably 85 per cent of gun owners, whilst they will not be happy, will be prepared to accept the situation. Clearly, some of those others so far jeopardised will not be able to accept it all. One gun owner in my electorate has a roomful of trophies. He should almost be in Atlanta now, except that he probably has not had enough financial backing to get him there. People like him who have been shooting for years will definitely be disadvantaged by any effort to take away what we currently have in this State.

Other people in my electorate have been saying that this is only the thin end of the wedge and there is a lot more to come. Some of the material that I have seen coming from some sporting clubs has worried me a bit. I have checked on it, and it is not accurate in many ways. Also, when I talked to the Police Minister, who is sitting in the Chamber tonight, he reassured me that there is no hidden agenda. I will not accept that any more, and a lot of my colleagues would feel that way, too. If there are any hidden agendas and this is only the start of this, if this is the thin end of the wedge, and we will see more put forward in the future, I would like to have it on record now that I will oppose absolutely the whole lot of it, because I am not prepared to be hijacked any more on behalf of those people who are law abiding citizens.

In conclusion, the Federal Government and Federal Coalition need to address a lot of other issues. This has taken the eye right off the ball with the major debt reduction strategies that we should be getting in place Australia. We have a problem with mental health right around this country. Governments of today should, quite frankly, be spending their time on more important issues. We would not be here spending time debating this Bill had it been handled with a little more compassion, if a little more time had been taken on it and if there was more of a chance to allow some equity between all people involved, not the least of which are our State Governments. The doors are closed, as I said.

I will consider the amendments as they come through but, at the end of the day, I understand that the majority of the constituency want to see good, tough gun laws right around Australia, and I also understand that, in an effort to get more fairness and equity into this for those who are disaffected, there is a very real danger that we could lose total control. I believe that this debate will be very important as we work through tonight's proceedings.

Mr BUCKBY (Light): I will not detain the House too long, because most of my colleagues have already covered the majority of the arguments in this case, but I would like to put on record very quickly a few ideas and thoughts. The

first, most certainly, is my sympathy towards all those families involved with people who lost their lives at Port Arthur. We were just getting over Dunblane in Scotland and the enormity of that, and to have Port Arthur thrust upon us overtook the emotion of everyone in this country, and it was a very sad day indeed. However, if we look at the Government action after Dunblane and that of the Federal Government here, they are quite different.

The British Government of John Major undertook a full inquiry into weapons and licences in Britain, whereas the Federal Government here decided on a complete banning of semiautomatic weapons without any inquiry. I think that that is not a correct course of action. It is always best to get all the facts before you and then make a decision, rather than jumping very quickly. Having said that, I would say that I support the ban on military-style automatic and semiautomatic weapons. I, like the member for Custance, spent some time in army cadets and also in national service, handled a .303 rifle in cadets and an SLR in national service and am well aware of the firepower that an SLR has and the sort of damage that it can do.

Like most of my colleagues here, I think that the South Australian gun laws as they stand are adequate. Much of the heat of this argument can be directed, as the member for Playford has suggested, to the Tasmanian and Queensland Governments, which one must say have been irresponsible over the time during which many Governments have tried to get national gun legislation. Those two States have been severely lacking in their responsibility towards tighter gun control.

Like many others, I have had many constituents come to me, many from gun clubs, farmers and citizens who walk down the street. When you talk to them, you are not aware that they have an interest in shooting or that they have a firearm. Many of those initially would have been severely affected by the legislation, but I am pleased to say that, through the efforts of the Minister for Police in South Australia and other Ministers as well, those people who now undertake clay target shooting, and I have a number who have come into my office who are members of the Mallala gun club, will now be able to continue that practice without having to change their firearm. Likewise, the relaxation of the initial ideas on collectors will now restrict these weapons that are after the year 1900, rather than the year 1946 statement that was made initially.

Similarly many farmers, as I said, have been to see me, and I support and welcome the fact that they will have the opportunity still to use a semiautomatic weapon for the control of vermin on farms. As the member for Custance has said, the people who will be the losers out of all this are those who hunt and who currently have a semiautomatic weapon. There is no doubt that, in certain instances, it would be preferable to have a semiautomatic weapon but, as we are looking for national legislation, not everyone can be a winner. That is unfortunate, but it is reality.

Crimping would have solved a lot of the angst in relation to this Bill. The reducing of pump action shotguns to a two-shot magazine would have meant that their owners would have been able to keep them and would not have had to change them to a double barrel or an over-and-under. Unfortunately, although the Minister took that suggestion to Canberra—and we all saw on the front page of the *Advertiser* the suggestion that was put forward, which appeared to be a sensible one—it was not accepted by the Prime Minister. I believe that it would have solved many problems. That battle

was fought and lost by State Ministers, and I do not see any advantage in going over that ground again.

The member for Florey has put forward a number of amendments, which contain main good ideas. As we work through those amendments in Committee, it will be interesting to see whether some of his ideas are adopted. I commend the member for Florey for the amount of work that he has put into these amendments and for some of the suggestions that he has come up with. One thing that will definitely come out of this, as many of the people who have come to see me have mentioned, is that some currently unregistered firearms which belong to people who decide to take the risk of being caught even though the fines will be substantial will remain in the community. They will not be handed up, so we will need to look at this legislation and ask exactly how much will be achieved. I believe that the current South Australian laws had the situation covered. One good thing which will come out of this legislation and which will be an advantage is a photographic licence similar to a driver's licence. Many gun clubs and sporting shooters support this stance. They are also supportive of tightening up the gun laws, and for that they are to be commended.

The member for MacKillop said that if we reject this legislation the Prime Minister has said that the issue will go to a referendum. I agree with the member for MacKillop that, if the matter did go to a referendum, those people in the community who have interests in shooting or who undertake shooting as a hobby would end up in a worse position, because I am quite sure from the people who have been to see me with the opposite point of view that those who want tighter gun laws and the cutting out totally of semiautomatics in the community outnumber those who want them retained.

With those few words, I support this Bill. I reiterate that I am sad that a consultative period was not undertaken and that this legislation is the result of a very quick reaction to the Port Arthur massacre. I think more would have been gained had the Prime Minister said, 'Let's ban military style weapons but let's sit down and talk about the rest.' Had that taken place, much of the argument that is going on at the moment would not be occurring.

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

A quorum having been formed:

Mr MEIER secured the adjournment of the debate.

SITTINGS AND BUSINESS

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

That Standing Orders be so far suspended as to enable the House to sit beyond midnight.

Motion carried.

DE FACTO RELATIONSHIPS BILL

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

As to Amendment No. 1:

That the Legislative Council no longer insist on its disagreement to this amendment.

As to Amendment No. 2:

That the House of Assembly no longer insist on this amendment but make the following amendments to the Bill:

Clause 3, page 1, lines 18 to 21—Leave out the definition of 'certified agreement' and insert the following definition:

'certified agreement'—an agreement is a certified agreement if—

(a) the agreement contains a provision (the warranty of asset disclosure) under which each party warrants that he or she has disclosed all relevant assets to the other; and

(b) the signature of each party to the agreement is attested by a lawyer's certificate and the certificates are given by different lawyers;'

Clause 3, page 2, lines 21 to 24—(definition of 'lawyer's certificate')—Leave out paragraph (b) and insert—

'(b) the party gave the lawyer apparently credible assurances that the party was not acting under coercion or undue influence; and'

And that the Legislative Council agree thereto.

As to Amendment No. 3:

That the Legislative Council no longer insist on its disagreement to this amendment.

STATUTES AMENDMENT (ABOLITION OF TRIBUNALS) BILL

The Legislative Council intimated that it had agreed to the recommendations of the conference.

OMBUDSMAN (MISCELLANEOUS) AMENDMENT BILL

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

FIREARMS (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

Mrs HALL (Coles): I would like to place on record my support for strong uniform national gun laws and for the intent of the Prime Minister and the State Police Ministers to make Australia a safer place. In addition, I support the South Australian gun laws and a total ban on military style weapons. Also, I would record that, apart from the shooting gallery at sideshow alley in my teens, I have never fired a gun, I do not own one and they frighten me. However, I have seen many constituents from my electorate and have had contact with numerous individuals who are decent, law-abiding citizens who feel they are being made to be the bad guys in a serious national debate.

Prior to the horrific tragic events at Port Arthur three months ago, not many of us would have known much about firearms, who uses them and why and who collects them and why. For example, how many were fooled by the media hype and many political claims that we needed to ban automatic firearms? We do not need to do so. They have been banned in all Australian mainland States, except for very special purposes, for many years, and in South Australia since 1977.

I wonder how many of my parliamentary colleagues know how hard it is to get a firearms licence or to buy a firearm in this State under the present law. The following steps have to be achieved under current South Australian law before a person can purchase a firearm, including all the firearm types proposed to be banned: apply for a firearms licence of the appropriate category from the Police Department; undergo a police check; complete and pass a firearms handling and safety course; wait for a minimum period of one month; obtain a recommendation from a club for restricted firearms types; and obtain an approval to purchase the firearm from the Police Department.

I, and I believe others of my colleagues, have been contacted by many constituents who feel concerned that they

have been unheard in regard to their interest in firearms, and collecting specifically. Collectors are generally a quiet and not very public group of people, for very good reasons of security. They have extremely valuable collections, and publicity seriously affects their security. But with the serious nature of the possibilities of the proposals affecting collectors, and other firearms users, they have expressed their concern in no uncertain manner, and they have every right to do so, for we are their elected representatives.

Many collectors have spent 30, 40 or 50 years collecting firearms and accessories and have not been a problem, yet there is still uncertainty about some details and aspects of what we are passing tonight. Many believe that they are being penalised for no good reason and, worse, for no real result in relation to the aims or claims made by the Prime Minister.

Over the years the major collecting groups and collectors have been told many times by senior officers of the firearms section:

We have no problems with collectors. We would prefer to see unregistered guns come out of the cupboards in the community and go into registered collections where we know they will be stored securely and safely.

Collectors have good reason to do so—the value of their collections. They have spent many years lawfully acquiring these collections, chasing good specimens of better quality and, hence, higher value, and acquiring the accessories which go with a particular firearm, all within the law, and now someone will decide what they will be allowed to keep. Therefore, we must be careful not to penalise law-abiding citizens, who are not the problem.

Another concern is that total deactivation of collectors' firearms is just not acceptable. I am told that this totally destroys the article and negates any collecting or collectable quality or value they have. I am told it is like having a vintage car and welding the engine so that it cannot be used on the road.

The statistics that I have seen do not reflect the information that has been distributed about the problems and dangers of firearms in the community. Statistics from the Australian Bureau of Statistics and the Australian Institute of Criminology show firearms accidents decreasing over the past 14 years; firearms homicides decreasing over the past 14 years while homicide from other causes is increasing; firearms suicides decreasing while suicides from other causes are increasing; firearms robbery decreasing; and firearms not being the major weapon in armed robbery.

The paper entitled 'After Port Arthur—Issues of Gun Control: Current Issues Brief No. 16, 7 May 1996', prepared for the Prime Minister, quotes statistics which confirm that 75 per cent of all homicides in Australia are not firearms related. The major methods used for homicides are: 34 per cent assault—and I am told that is blunt instruments and strangulation; 30 per cent knives, sharp instruments; 25 per cent firearms; and 10 per cent 'other'. The missing 1 per cent is in rounding off the figures. A simple analysis of the further detailed breakdown on page 1 of that paper shows that only 1.75 per cent of all homicides were committed by an automatic or a semiautomatic firearm, and that would include all types. These figures include the Hoddle Street, Queen Street and Strathfield incidents.

Collectors of firearms are all preserving a particular part of our heritage, and some groups belong to the National Trust. For example, the Antique and Historical Arms Association has researched and collected data of many early South Australian historical matters. In particular, the

association has recently financed and published a book entitled *Service Arms of the South Australian Police*. It is a book on the history of firearms used by the South Australian Police from inception of the Police Force to the date of publication. I am also told that the replacement cost of that book in today's value is about \$20 000. This shows (and we should not have to be told) that history does not stop at a predetermined date, at a fixed point in time—not in January 1946, as was first envisaged by the Prime Minister, nor in 1900, which we have heard is now the flavour of the month.

History is ongoing. Where will our current history be if we adopt such an approach? Items purchased today and set aside and carefully stored will be our history for tomorrow and for generations to come. Canberra has provided for certain exemptions for justified and approved purposes, but I suggest that we should widen these exemptions slightly where it is safe to do so to cover just this type of activity. The South Australian Police Firearms Section has already stated that it has no problems with collectors or the recognised shooting clubs and groups. The matter we should be addressing is getting the illegal guns out of the community—that is what we and the police should be able to concentrate on.

Proposal 11.3 of the Commonwealth Police Ministers' conference was to ensure removal of unregistered guns by paying compensation for all surrendered and banned firearms, whether or not the firearms were legally held. The resolutions were passed to that effect. This raises unparalleled scepticism and cynicism in our constituents, and it should not be so. As I have said, some specific aspects of the Bill seem to me to be impractical and unfair and, in particular, I refer also to the sections on ammunition and parts.

I support the second reading of this Bill but will be looking at the amendment on crimping and other sensible amendments which will not necessarily penalise law-abiding citizens and, at the same time, not compromise the safety of the community.

From my remarks as the member for Coles, I now wish to put on the record some remarks and a position for the Minister for Recreation, Sport and Racing (Hon. Graham Ingerson) who is unable to participate in this important debate on amendments to South Australia's Firearms Act as he is currently and ably—

Mr FOLEY: Mr Speaker, I rise on a point of order. I ask for your ruling, Sir, regarding a member of Parliament speaking on behalf of another member. I ask for your ruling regarding whether or not that is in order.

The SPEAKER: The Chair will take advice. The Chair does not believe there is a point of order. The member for Coles is responsible for the remarks which she makes. There is nothing to prevent the member from indicating that she is of the belief that someone else is of those views, and another member may have asked her to canvass that view. At the end of the day, the member for Coles is the one responsible for the comments.

Mrs HALL: The Minister is currently and ably representing South Australia at the Atlanta Olympic Games. As the parliamentary secretary to the Minister for Recreation and Sport, I take this opportunity to congratulate Michael Diamond on winning gold in the Olympic trap discipline in Atlanta. It is a fantastic achievement for a young Australian who has been at the forefront of his chosen sport since 1987 when he won the junior world championships. Since 1987 Michael has competed successfully in many world-class events, including winning the Australian National championship twice in 1990 and 1993, achieving two second places in

the world championships in 1991 and 1995 and winning the world cup in 1995. Michael competed in the 1992 Olympic Games in Barcelona, achieving a commendable eleventh place, but I am sure that none of this would have prepared him for the excitement of winning gold in Atlanta.

It is, however, unfortunate that this tremendous victory for a young Australian has been used by some members of the gun lobby to try to distort the facts on the debate on the amendments to the firearms legislation. As stated in this morning's *Advertiser*, the gun used by Michael Diamond is unaffected by these gun law reforms, and the Federal Government has given an assurance that it will accommodate all Olympic and Commonwealth shooters.

I now return to the Bill and put on record for my colleague several points in relation to issues facing South Australia's sporting shooters. Without doubt the debate on Australia's gun laws is one of the most emotive and challenging issues that has faced the nation in recent years. It seems that everyone has an opinion on the issue.

This Bill and the State Government's commitment to the establishment of strong and uniform national gun laws have Minister Ingerson's full support. South Australia's current gun laws are among the strictest in Australia, but without uniform laws and minimum standards South Australians remain vulnerable to prohibited firearms entering the State from other jurisdictions. Recognising these facts, I understand that the Minister believes that debate on the Bill should give adequate opportunity for genuine and responsible shooters to have some input. The Bill must be debated, and as far as possible we must put aside the emotion generated by the tragedy of Port Arthur and debate the Bill on rational and factual grounds.

During the past week a number of submissions have been received by the State Government from sporting and recreational firearm associations. Issues raised by associations are many and varied and for the record I summarise the main issues raised. In relation to the lending or hiring of firearms, concern was expressed that the lending or hiring of a firearm was subject to the same constraints as selling. Circumstances where a competition shooter may loan his or her firearm to a fellow competitor or where an owner wished to get a part of a firearm repaired by a tradesman who was not similarly licensed were cited as issues of concern.

Clause 21, relating to the limit of ammunition quantities, provides for the Government to place limits on the amount of ammunition in an individual's possession. The major concern expressed was how the Government would determine the needs of individual groups. With the amendment of section 15(3)(b), relating to the application for a permit, the requirement for the expiration of 28 days after application to validation of permit is provided for by this clause. The extent to which subclause (4), which enables this 28 day period to be waived, could be used is unclear. The insertion of section 14(5), relating to the acquisition of firearms, provides for a part of a firearm to be deemed to be the total firearm. The major concern is that a person could without knowing be breaking the law by having a part of a firearm on their property, but I point out that the Act includes a general defence for people who may break the law but where it can be shown that this has been unintentional.

The Federal Government's decision not to allow crimping will be the single most important factor in the legislation for many sporting shooting associations. In particular, field and game and clay target shooters will be substantially affected, as will be the International Practical Shooting Confederation.

Minister Ingerson, I understand, recognises the difficulty that this amending legislation poses to some sporting shooting disciplines. However, the views of the whole community, and not just those of vested interest groups, must be taken into account.

Mr FOLEY: I rise on a point of order, Mr Speaker: I would like some clarification. You have allowed the member for Coles to give her views and now the views of the Minister for Recreation, Sport and Racing. They are conflicting views. How can a member be allowed to present conflicting views in the one contribution?

The SPEAKER: Order! There is no point of order. As I indicated earlier—

Mr Foley interjecting:

The SPEAKER: It may be a good point in the view of the honourable member; it is not, in the view of the Chair. The member for Coles is responsible for her own comments. It is not unusual for members to contradict themselves in this House. It is similar to relevance: if the Chair abided strictly by that Standing Order, *Hansard* would be blank.

Mrs HALL: As outlined earlier in a joint statement of the Australian Ministers' Council issued on July 17, a special meeting of the Ministers' Council last week agreed in principle to examine further the question of access to category C shotguns for a restricted class of clay target shooters in order to ensure effective representation by Australian competitors in Olympic, Commonwealth and other recognised national and international events. In summary, I understand that the Minister for Recreation, Sport and Racing supports this Bill. The Minister recognises the concerns of South Australian sporting shooters' clubs and urges sensible and balanced debate in order for South Australia to play its part in implementing effective national gun controls in the interests of all Australians.

Mr SCALZI (Hartley): I, too, wish to make a contribution on this very important issue of firearms legislation. This Bill before us has not just come about: there has been a lot of discussion, heartache and representation. I commend the Deputy Premier on what he has done to achieve the final outcome in this Bill and his contribution toward achieving uniform legislation in Australia. When we are talking about firearms legislation, to sensitise the debate, we should bear in mind that we are talking about not just the gun lobby, the anti-gun lobby, firearms owners or shooters; we are really talking about Australians. We are talking about individuals—fathers, husbands, sons, neighbours and people from all professions, from all walks of life—and we are talking about people's rights. This is very important legislation, because it impinges upon those rights.

Many members have talked at length about the tragedy at Port Arthur. I also refer to that unfortunate tragedy that took place on 28 April. Along with all Australians, I was wounded on that day. It is not only that those 35 people were tragically taken that day, but also the way Australia has been wounded; in a way, its innocence has been taken. Nevertheless, many people have said that there has been overreaction to that tragic day. I believe that there has also been an overreaction to the way in which governments of all jurisdictions in Australia—federally and State—have responded in trying to achieve uniform gun legislation. I believe there has been an overreaction and that people have focused too much on how it affects 'me'. I believe in rights, Mr Speaker, but my freedom ends where yours begins.

That is the simple premise of democracy that we should

all adhere to. It is tragic that that view has not always been put into perspective. It is a tragedy that there has been much talk which has moved away from the reality of trying to achieve uniform gun legislation. Certainly, there is no simple solution to complex problems, and no gun or firearms legislation will prevent tragedies such as that at Port Arthur. No legislation in Australia or any other country will do that. That is a fact and no-one can deny it. Port Arthur was a precipitator in bringing about uniform gun legislation. Certainly, people should not be put into categories, yet I have seen many good, law-abiding citizens who have come to my office to ask me to represent their views, and I have done that in the best way available to me.

I have taken their views to the Party room and to the Minister, and he has responded. From the outset, I would have preferred that crimping had been allowed by the Prime Minister. Certainly, there is a difference between what is an ideal world and reality. In an ideal situation there would not have been the Port Arthur tragedy. In an ideal world we would have had uniform gun legislation in place before the Port Arthur tragedy. In an ideal world the rest of Australia would have adopted the good legislation that applies in South Australia. No-one can deny that South Australia had the leading legislation in this area. South Australia already had responsible gun laws and firearms legislation that worked. The reality is that we have moved to a greater stage and we cannot go back to the premise of saying, 'If only they had adopted the South Australian legislation.' I wish the other States had done that, but the reality is that Australia as a nation has not adopted the uniform legislation initiated in South Australia. It has become a composite situation: it has become a complex situation and we now have to deal with that reality and get the best possible representation for our constituents. I have seen every constituent who has asked to see me. I have telephoned each person who has asked me to call them back about this problem, and I understand what they are saying. I understand how they have been categorised, and it is wrong that some sections of the media have categorised such good, law-abiding citizens and firearm owners who have done the right thing for years. I understand their concern and I defend their position; and I will express their views tonight, as I have done before the Minister and in the Party room.

However, we have reached a stage where to not follow the path that has been laid down will do nothing to change the general thrust of the legislation. Crimping is out no matter what I or any other member says tonight, because the issue is part of a bigger stage and we now have to be realistic. We have a unique situation where the Prime Minister, the Opposition, the Democrats, six State Governments and two Territories have made an agreement. Some people will claim that it has not been a democratic agreement, but let me look at that scenario as well.

When the Ministers met in May, they met on behalf of their Cabinet colleagues. Cabinet gave the Minister the authority to speak on behalf of South Australia. Cabinet speaks on the authority of the Government and, indeed, of the Parliament of the day. We can go on about State and Federal rights, but at that stage we gave authority to the Government, to the Cabinet and to the Minister to negotiate the best possible deal for South Australia.

Mr Brindal: Who gave him the authority? I didn't.

Mr SCALZI: The honourable member interjects, but the reality is that Cabinet makes decisions on many other issues, as do Ministers. We entrust those Ministers to try to find the

best possible approach on a lot of issues. That is the case with this legislation. It is wrong to put people into categories. Those Australians who are less fortunate than we are and who suffer from mental illness have also been victims of this tragedy, because people have pointed at them. Where are their human rights in respect of not being categorised? Most people who suffer from mental illness are not a threat to society.

Many of the atrocities in this country are not committed by people who suffer from mental illness, and it would be an injustice to categorise together all the people who suffer from mental illness, just as it would be an injustice to put all firearms owners in one category. It is an injustice to label people, and we must respect the individual rights of people. That is the essence of democracy. It is no longer a case of 'us' and 'them'. We are no longer talking about members of the gun lobby, firearms owners or people who are against firearms ownership. We are Australians, and in 1996 we have been forced into this position, and anyone with any sense of compassion would wish that it were otherwise, but it is not.

We have an opportunity to create uniform firearms legislation, and that is very important. We must try to achieve that goal above everything else. As I said earlier, I have had representation from people from all walks of life, including Australians from non-English speaking backgrounds, particularly those with my background, who have been greatly offended by some of the media talk about gun owners, and I can understand it. I say to them that I have done my utmost in representing them. I know that the Minister, the Deputy Premier, has done his utmost to take their concerns and those of all other responsible firearm owners to Canberra in order to get the best deal.

I am not an expert on firearms, and I have never professed to be but, if there was any move to ban firearms amongst our responsible citizens, I would be the first to stand up for them. We are talking about different categories. I have a licence to drive a car but I cannot drive a semitrailer, and nor can many members in this Chamber.

Mr Bass: You wouldn't be able to see over the wind-screen, Joe.

Mr SCALZI: Some are short and some are short of ideas; I am glad I am the former. Not everyone can drive a semitrailer. I can drive a truck, but others cannot. We all have to adhere to certain conditions. I am not saying that this legislation is perfect. No legislation is perfect, but this is a perfect opportunity, after that tragedy, to try to get uniform legislation.

Concerns were expressed when this incident occurred about adequate compensation for responsible firearm owners who owned new and secondhand firearms. Those concerns have been expressed by the Deputy Premier and, I am pleased to say, compromises have been made and adequate compensation will be provided. No-one would say that it will be perfect compensation—it never will be. If something is taken away from someone who has been a good, law-abiding citizen, no compensation will ever be sufficient. But the other side of the coin is that the great majority of Australians who do not own firearms will also have to compensate, and some will complain about that too. All I am saying is that, in this situation, people must give something; we must all give something. As I said earlier, my freedom ends where yours begins. We all must give up some of our freedom in order to live in a democratic society, and that is what democracy is all about: we must give up something. I commend those members of the public who have talked to me and put their

views and who have also understood that this situation has meant that they must give up something.

I now move to the political reality if we do not pass this legislation, and this is the reason why I will not support crimping, and why I totally support the Deputy Premier and the Prime Minister. It is unique that all jurisdictions, the Prime Minister, the Leader of the Opposition and the Democrats are in agreement on this issue. The reality is that if we do not pass this legislation we will be less likely to represent those constituents who came to us and said, 'Do something about compensation; do something about the farmers in different categories; do something about professional shooters; and do something about Olympic sports.' If we do not pass this legislation, down the track a referendum will be held because the public will demand it. The other side of the coin is that a lot of people are getting very impatient and saying, 'Come on, let's get on with it: have uniform gun legislation.'

If a referendum were held the reality would be that more restrictions would be imposed; the reality would be that those people we seek to represent by having amendments will be less represented. That is the political reality. I am not an expert on firearms, but I understand that the political reality of having a referendum will be that more rights will be taken away than what we are now giving up in supporting this legislation. Let us look at some of the concessions that have been made. The Agreement on Firearms Issues from the Special Meeting of the Australasian Police Ministers' Council held on 17 July states:

Australian Police Ministers have today reached agreement on all the remaining issues in relation to the implementation of the nationwide resolutions for firearms law reform, which were made on 10 May 1996, except in relation to magazine modification.

That is what I would have liked agreement on, and that is what the Minister would have liked agreement on, but it was not possible. It continues:

While the majority of the nine Governments agreed to reject magazine modification proposals for pump action and semiautomatic shotguns, three jurisdictions wished to refer this to their Cabinets for resolution early next week.

On 17 July they did that. All the States are now aligned. That agreement has been made. We can have amendments, but the reality is that we have had that agreement nationwide. Let us have a look at some of the things that were agreed upon:

- A limited class of primary producers with problems with large feral and BTEC animals will be permitted to apply for limited access to category D firearms under an approach based on the regime that applies to professional shooters in the Northern Territory.

That agreement was not there in the first place. It continues:

- Agreement has been reached on procedures for administering the firearms amnesty compensation regime, including valuation procedures. A full list of valuations for the most common firearms that are subject to the prohibitions has been circulated and will soon be released publicly.
- Firearms dealers and importers will be entitled to apply for compensation for any loss in value for their businesses caused by the prohibitions.
- A new regime to regulate heirlooms and collectors' firearms was agreed upon. The arrangements are consistent with the May 10 resolutions but take proper account of the special interest held by owners of these firearms.
- Ministers agreed in principle to examine further the question of access to category C shotguns for a restricted class of clay-target shooters, in order to ensure effective representation by Australian competitors in Olympic, Commonwealth and other recognised national and international events.

The Commonwealth agreed it would provide generous financial assistance to the States and Territories in the setting up of their registration systems.

Most jurisdictions have their legislation in train and are anticipating early implementation of the detail of the Ministers' resolutions. It is hoped that all jurisdictions will have the necessary legislation in place by September 1996.

This result is an achievement for cooperative federalism and a strong, positive step towards making Australia a safer place for all of us.

I commend the Bill to the House.

Mr OSWALD (Morphett): In listening to the debate this evening it is my view that one of the big issues that has come out is: why is there a desire to penalise the club member? I say that very sincerely, because it is all about credibility, the credibility of the club members and their ability to look after their weapons, to control their weapons, to store their weapons and to be responsible with their weapons. So the question is: why is there a desire to penalise the club member? As a school cadet I carried a .303 rifle home on the tramcar between my knees and it did not seem to worry anyone. I certainly concede that we have moved forward from those days. During the national service era before I came into this place I conducted dozens of shoots. We covered the machine guns, semiautomatic weapons, hand guns and rifles, and I have to say that, whenever I have gone on a range since then and watched the conduct of those shoots, they have been flawless. The butts officers and the mound officers have been highly competent and have known what they were doing.

I have also had charge of some very large armouries over the years in which we stored automatic weapons, rifles, hand guns, and a whole range of other military equipment. I have to say that some of the storage facilities that I have seen in people's private homes put some of the storage that we used to use for our army weapons to shame. The people that we are talking about who look after these weapons are highly competent, sensible people. I believe that, in the way the debate is going on, not enough regard is being given to the competence of the men and women in the community who have taken up shooting as a sport and occupation and who, in many cases, have been involved in that sport and occupation for many years.

It is a strange issue, and there are crazy anomalies in the Bill. As I understand it, under the new law, a member of a club can have a semiautomatic hand gun but not a semiautomatic rifle. What makes that person any less safe or less dangerous if they have a hand gun rather than a centre-fire semiautomatic rifle? It is a crazy anomaly, yet it is in the Bill. In numerous clauses in the Bill there are anomalies.

The member for Hartley talked about the political reality. I am pro-crimping. I am not too sure what happened to the suggestion of the Deputy Premier. I read in the paper that the Police Ministers in all States supported him, as did the Federal Attorney-General. Suddenly, two or three days later, we find that that had been hit on the head.

I can understand the army armourist saying that crimping can be reversed, but I cannot understand why the solution that the Deputy Premier took to Canberra was thrown out, out of hand. It seemed a sensible method of overcoming what could have been a difficult problem. A lot of members of clubs do not want crimping, anyway. They say, quite correctly, that the South Australian law is adequate and, if you want to strengthen it, you should just say to those who are not members of clubs, 'If you want to have these particular firearms, you have to join a club and leave it to the clubs to implement the law.' I do not have a problem with that, because I happen to believe in the competency of the clubs. Yet some clubs say, 'Let's

not worry about crimping.' However, if it is a compromise, I would support crimping.

As the member for Hartley pointed out, the political reality is that the Commonwealth is virtually blackmailing the States. If a provision regarding the crimping of guns was passed tonight, we would have a referendum and we would be in that difficult position of handing over to the Commonwealth the control of our gun legislation. Other members have also tried to highlight this concern: we want to hold the control of gun legislation in South Australia. Whilst we believe in a national gun register, in national uniform gun laws and in all the details such as the photo licensing system and the like, as well as with compensation, the reality is that I do not want to hand over to the Commonwealth another power—in effect, further centralising power—regarding the control of guns. I would rather hold those powers in South Australia so that down the track we can sit down with the gun lobby and work through the issues, attempting to accommodate them and recognising their competency. As soon as we have a referendum, I see us handing over to the Commonwealth our legislation making power, and that is not at all in the long-term interests of the gun lobby.

The International Practical Shooting Confederation (IPSC) wrote to us all. I would like to put on public record some of the points it made as they are worth recording. I apologise to the House if someone has already cited these points, but it will not hurt to repeat them: I certainly have not heard them in the past hour or two. The document states:

1. Prohibit the ownership, possession or use of semiauto centre-fire rifles, semiauto rim-fire rifles, semiauto shotguns, pump action shotguns except as provided below:

- members of military
- members of police or other Government purposes
- occupational categories of shooters who have been licensed for specified purpose
- primary producers under a restricted licensing system (hand gun style licence)
- members of approved clubs (including collectors) under a restricted licence system (hand gun style licence)
- persons approved by the registrar.

2. Either maintain a prohibited person's register or have owners of restricted firearms provide an annual medical certificate confirming that there are no medical reasons why he or she should not own a restricted firearm.

3. Club members must be recommended by their club as financial and active participants in organised club activities. . .

4. Collectors must be either a member of an approved club or person approved by the Registrar of Firearms.

5. Collectors be permitted to retain collection firearms both pre and post 1 January 1946 without having to render them inoperable.

6. Persons who are approved restricted firearms licence holders may use restricted firearms for purposes approved on their licence. The permitted purposes should include:

- club use
- primary production
- occupational use
- hunting
- collecting
- other purposes approved by the registrar.

7. To obtain/retain a restricted firearms licence a person must:

- provide certification of primary production status or club certification
- or be approved by the registrar
- be subject to a police check
- for initial application for restricted firearms licence provide three personal references from persons of standing in the community (being non-family members) as to the suitability of the individual to own the (restricted) firearm.

8. Any criminal conviction of specified types to automatically prohibit ownership or possession of any firearm for a defined period (say five years).

9. National photographic licensing system for firearms owners.

10. National registration system for all firearms.

11. Only the owner of a restricted firearm or other appropriate licensed persons be allowed to use or possess a restricted firearm.

The threads running through all those suggestions are, as I said initially, the competence of the clubs, the competence of the administrators of the clubs, those who run the ranges, those who are in charge of the storage of the weapons, and also making sure that the specifications of the registrar are carried out. I do not want to belabour the point. These debates become very repetitive as members repeat much of the material we have been given. But, and I will be repetitive on this, we must understand the political reality. As much as we would like to see crimping come in, as much as we would like to support the amendments that will be moved later, which hand it over to the clubs and say that the clubs are the competent place for this, I am not too sure that that second amendment is as important as the crimping.

Whilst I applaud the honourable member who will be bringing forward this whole question of crimping, the reality is that as a State we cannot bring on a referendum, because we will lose that referendum, there is no question about that, given the public mood and what has been said interstate. We will lose the referendum and then we will be handing the gun legislation to the Commonwealth. Once again the State will be handing over powers to a centralist Government, and that is not in the interests of the gun lobby. It is not in the interests of those clubs to see centralised control and the powers to legislate in the future taken out of the hands of the South Australian Government and handed to Canberra.

Consequently, I am put in the very difficult position of almost being blackmailed into having to say that I support crimping but I just do not think it is in our interests. I believe that we can fight another day in another place at another time, provided that we can keep this legislation here under the control of the South Australian Parliament.

Mr BRINDAL (Unley): I will not detain the House very long on this matter, either. It is a very vexed matter, and I have rarely heard so much drivel from some members in this House, mixed with some stuff that is rather good. It is a difficult proposition and one that I think the member for Morphett summed up more than fairly. There are still in 1996 witches being hunted in our society. At present, a whole group of people have combined to make people who lawfully and legally own weapons into victims. In many ways they are as much the victims of the recent tragedy as those who actually died.

Following the Port Arthur tragedy, the media of this country almost conspired to hunt witches, and the witches they produced were the gun lobby. They did some dreadful things. The media in this country should be absolutely ashamed of the way in which it has manipulated not only the people of Australia but also the Parliaments of Australia, because as member after member has said we find ourselves in an almost untenable position. Who put us there? Many would argue that the Prime Minister did, but it is not just the Prime Minister: it is the media of this country. The Deputy Premier tried to be quiet for a week, knowing that there was a storm going on—and I note that the gun lobby, too, was quiet for the first week in an attempt to get things calm—but on the Saturday morning the *Advertiser* published a list of firearms which it said the Deputy Premier would not ban. Many of those firearms had been banned in this State for years, but I do not remember seeing an apology from the *Advertiser* or anything to say that the *Advertiser* was wrong.

I believe that the *Advertiser* is owned by the same stable of newspapers which can put a man's photograph on the front page, enhance his eyes so that he looks like something out of a creepy horror movie, and put beneath it the caption 'The face of a killer'. He may well be, but whether a man is guilty is for a jury to determine. I actually grew up in a country that says that 12 of your peers, 12 good and true people, are the only ones who can and will determine whether that man is guilty. If Mr Murdoch wants to own half the newspapers in the world, good on him, but I think that carries with it some responsibility. I must say in this House that the responsibility carried by the Murdoch press is less than impressive.

If I were in the Federal Parliament and if I had any say over media laws and ownership, I would carefully consider the right of so few people to manipulate and carry the debate in the way in which I believe the press has. We come here tonight with an almost untenable situation, as has been well put by the member for Morphett. On the one hand, the media has whipped up the public to the point where they are almost baying for blood and are unreasoned and unreasonable. On the other hand, we have a Liberal Government which has never before argued for centralist policies basically saying to every sovereign Parliament which has the absolute right to determine these matters, 'If you don't determine it the way we want, we will take it to the people, and the people will give the power to us.'

I agree totally with the member for Morphett that, although much is wrong with this legislation, if that power goes to Canberra there will be one Government alone that will determine all future laws on firearms. At least now there are six States and the possibility of variation. If you give it to Canberra, one Government will make one decision, and you will get exactly what that Government wants. I happen to believe—

The Hon. Frank Blevins interjecting:

Mr BRINDAL: They may well have bluffed us, as the member for Giles says, but I truly do not believe that the Prime Minister is bluffing. I think he is quite determined to take the matter to a referendum if he can because this issue has been so stirred up that he is likely to win. I have never heard as much rubbish as I have heard in this debate not just in this Chamber but in the community. Many members of the gun lobby have come to see me. I have not seen one lunatic, one misfit or one person whom I would not describe as decent. I have not even seen an extremist come through the door. I will tell you what I have had: I have had typically—

Mr Buckby interjecting:

The SPEAKER: The honourable member will continue his remarks.

Mr BRINDAL: I assure the member for Light that he will not be invited into my bedroom tomorrow night. I will describe one person who came through my door, because he was typical of many who came to see me. He was a clay shooter and therefore needed a shotgun of the sort that were going to be banned. He said to me that he was a law abiding citizen. I know this man. Not only is he a law abiding citizen but also he is a leading member of our community and has been praised by this whole House for some of the work he has done. He shoots clays. He said, 'I have fulfilled every requirement of the law. I have a safe. I have another locked place for putting the firing mechanism. I put my ammunition separately.' The sort of thing that occurred in Port Arthur could never have occurred in South Australia. He has fulfilled every requirement of the law. Yet, we will go to him and say, 'While you did all this, while you did nothing wrong, we will

nevertheless stop you from doing it.' That is the very hypocrisy behind this Bill.

What will they say the next time there is a massacre? I do not wish a massacre on anyone, but there will be one. Those guns will be illegally obtained. What law will we pass next time? Who will we burn next time? We will do this on this occasion, and why are we being asked to do it? The answer to that is quite clear. If we look at the question of mental health, we will never get that quite right. It is almost insoluble.

I accept what the member for Hartley said: that we cannot say that people with mental health problems will go around shooting. But what we can do is try to have a health system that identifies those people who are at risk to themselves and at risk to the rest of the community. What we can do to those people is see that they have the treatment, care and compassion which means that they cannot go around shooting 30 or 50 of their neighbours before we finally decide that perhaps they should not have been out there with rifles. That is the issue which we should be addressing but from which we are all running away because we cannot really solve it.

If we pretend that we will try to solve it, what happens? Somebody does it, and we think we might be blamed. We are only members of Parliament; we are not big enough to take the blame, just the glory. And that is all we are trying to do now: make victims of the shooting lobby so that we get credit in the community so that we will be returned at the next election. I find that hypocritical and obnoxious.

I also find obnoxious this constant debate about violent videos and arcade games, and whether they contribute to violent crime. I do not know the answer to that. I do not think anyone in society yet has an answer to that. Perhaps they do, perhaps they do not. Perhaps they trigger a disposition that is already predisposed towards violence. Perhaps they put some people over the edge. Does that mean we ban violent videos altogether? Who knows?

But we will not address that, and we have no intention to do so because, simply, there is not much that we can do. So, we will look at the little bit about which we think we can show people we will do something: we will make victims of the gun lobby. We will nail them up high and make them look like we have done something, and then we will say we have done something, and the next time there is a massacre we will say it was not our fault. Then we will try to tighten some other silly law that achieves nothing. I think this is rubbish legislation in that it will not achieve what we are telling the people it will achieve.

The Hon. Frank Blevins interjecting:

Mr BRINDAL: In that sense I think we are cheating the people. Nevertheless, I must say that we are locked into a situation that none of us wants to be locked into, because I think the situation of this Parliament's not taking this responsibility is to take it to the people. The member for Giles says, 'No, the Prime Minister would not do that.' I would say to the member for Giles—

The Hon. Frank Blevins interjecting:

Mr BRINDAL: The member for Giles can say that and he might believe that, but I happen to be a member of the Liberal Party of South Australia, and all my best advice from those who lead this Party in this State is: yes, that is what the Prime Minister will do. What is more, the advice of all my Federal colleagues is that they are serious. Therefore, I have another problem. I am aware that in certain instances some of my Federal colleagues may be saying to people, 'It is not our problem. Go and see your local member.' They are seeing

me and that worries me, because it is our problem. It is the responsibility of this House tonight, but we did not generate this legislation.

The Deputy Premier went to a meeting of Police Ministers and consensus was achieved, but this is being driven through-out Australia by all levels of government. It is not fair for one group of politicians to say to an interest group, 'It is not our responsibility. Go and see your local member.' Every politician in this country is involved and cannot escape the consequences of their actions.

I commend the member for Florey on his initiative and what he is trying to do in his amendments. I intend to look at the amendments very seriously. I think that to abandon this legislation is wrong, because it would put the whole of Australia in a position in which it should not be put. I think that if the gun lobby was turned over to the lunatics in the press who are running around, the gun lobby would be sorely harmed and this legislation would go much further than it does.

I do not like what we have been asked to do: it was imposed on this Parliament. I say that with some passion because, as the member for Hartley said, and I agree with him, this State had the best gun legislation in Australia. Therefore, this State had the most responsible gun owners in Australia and they were law-abiding citizens who conformed to a law which was fairly hefty and onerous. We now have to go to those people and say, 'You accepted this responsibility and you did a good job, but, because Queensland and Tasmania did not have a law that was anywhere near to our standard and because things have gone wrong somewhere else, we are going to impose a penalty on you.' I do not see that as being fair or desirable, but the consequences of just abandoning this legislation are less fair and less desirable.

I intend to look at the amendments to be proposed by the member for Florey, and I will support them if I can, but I will not abandon the Deputy Premier. He made a very valiant effort. I do not think that most members realise just how much the Deputy Premier did in putting the point of view of our legislation and doing things behind the scenes. He is locked into the decision of the Cabinet and of his Federal counterpart and the Prime Minister of Australia. I fear that to abandon this legislation would have dreadful consequences.

I pay tribute to you, Mr Speaker, because I know that a lot of work was done over many months—indeed, years—before this tragedy occurred to make our gun laws better. The gun laws introduced by the Labor Party were acknowledged to be very good, but bits and pieces were cumbersome and could have been improved—perhaps photographic licences. You, Mr Speaker, the member for Florey, the member for Playford, the Deputy Premier and a number of others have been working for months to provide us with a better law. The whole thing has now been hijacked by a hysterical agenda, driven largely by the media, and I am appalled. I want to be in this Parliament for the next 20 years, but I hope that we do not have this type of abhorrent rubbish forced on us, as the member for Morphett said, very often. I commend the Deputy Premier for the difficult situation that he has to endure because of the irresponsible actions of the media and other people.

Mr ROSSI (Lee): I am concerned about the way in which the freedom of the people is ending. First, I was told by various Ministers that the people of this country have no right to have weapons. They say it is a privilege, yet ever since man was created and had a family, he has always had

weapons to defend his family. The States gave the power to the Federal Government to protect our country from invasion and violence from overseas threats, yet the same Government which believed in national service in the mid and late 1960s now says that the people of the State are not entitled to have weapons for protection. To me that is a sign of hypocrisy.

I refer to an experience I had when watching the *Three Stooges* as a teenager. They were trying to fix a problem with water coming out of a pipe. It was hilarious, if any member remembers the film. They put T pieces, elbows and nipples but they never succeeded in ending the flow of water. The simple solution was to put a plug in the pipe. Attacking the legal gun owners for what happened at Port Arthur is analogous to a car running out of petrol: you check the water in the radiator, the spark plugs and the battery but you do not check for petrol in the tank which is the cause of the problem. Members might say, 'What has this to do with the legislation?' The problem is I have never seen a gun walk. I have not seen a gun load itself. I have not seen a gun aim itself at anyone. I do not know whether there is a gun which is run by a computer but, if it was run by a computer, one could say that it was dangerous. As far as I am concerned, guns do not kill people: people kill people.

This person, in Tasmania, was well-known to the police, yet he was let loose in the community. He could have been shot after he killed one or two people, but he was not attacked by a police officer or anyone else in the area. Why? That would have reduced the number of people who died. To me, the death of those people at Port Arthur was based on human evil and the poor legislation in that State. Why should law-abiding citizens in other States such as South Australia, which has very strict gun laws and which has identification and registration of gun owners, suffer for one or two other States?

I understand at the swearing in of the new Governor, Sir Eric Neal, the Premier elaborated on the fact that the States formed the Federal Government, yet the Federal Government is now telling us what to do. I totally resent that because in a total democracy there should be a two-way process. There should be debates and discussions with various groups who are affected by this legislation to ensure that the law which is implemented will do the job. I am on the record as saying I am totally against violence, and I am one of the biggest opponents tonight, of this legislation. If it works, I totally support it, but I am doubtful that it will work.

Tonight we have heard many members say that the South Australian law is the best in the country. I have no doubt about that, but I do not think it has worked. Many weapons in the community are not legally owned or registered and people who are not licensed to use weapons still roam the streets of Adelaide. So much for having the best law in the country—it does not work. There are other examples where banning things does not work: the banning of alcohol in the 1930s did not work; in relation to the banning of drugs such as marijuana, the legislation does not work in this State and the police are behind in prosecutions; with regard to the banning of prostitutes, now we are trying to say we will legalise prostitutes because we cannot supervise their activities; and the banning of pornography has not worked. The problem is that people are the ones who cause violence.

We remember the Labor Leader in this House saying that he supports the control of guns. I remind the Labor Leader that it was the Federal Labor Government that allowed the importation of Chinese-made military weapons into Australia while in power. I am sure that the quantity and ownership of most of these imported weapons are unknown. The trouble-

some elements do not register these weapons and therefore do not identify themselves. Therefore, this legislation affects law abiding citizens.

If the Federal Government is concerned about the level of violence in the community, it should attempt to improve the hospital situation for mental patients, and it should increase the severity of sentences for those who commit violent crimes. I still blame the previous Premier, Don Dunstan, who said that people can do whatever they like provided others suffer the consequences. He was slack in respect of the theatre. I have seen violence in plays that I have attended. There is violence on TV, violent books are issued to children, and there is violence on whatever program you watch these days. Plays that I have attended at the Festival Theatre have sometimes shown violence. People who are exposed to this type of thing feel that that is the normal standard in the community and therefore they are violent to their neighbours.

Mr Brindal interjecting:

Mr ROSSI: No, we are fighting with the wrong end of the stick. We should control human behaviour before we control guns. Guns do not kill. I was in the CMF in 1968 and I used SLRs, M60s and Owen guns. With a 30 shot magazine in an Owen gun I was lucky if I hit the target twice—the rest of the bullets just sprayed straight off. I was taught as a teenager in the CMF to dismantle a weapon, put it back together and look after it. At one time I received a caning on my backside because I left a weapon behind after having lunch. I did not do that again.

Again it is necessary for people to use weapons responsibly. There is an argument that people do not need weapons. I have to disagree. I have had weapons since I was 10 years old, when I used weapons on a farm in the South-East. In the past 30 years I have used a weapon only three times. One may ask whether I need it and perhaps I should hand it in. My first weapon was a single shot .22, the first one bought by my father in Australia. My second weapon was a .22 pump action rifle, which was the first one that I bought legally in Australia. That is more of an heirloom or something of sentimental value and not something that I need. What will happen to my weapons? Under the legislation I must hand in those weapons. How many other people who have done nothing wrong will have to hand in their weapons?

An honourable member interjecting:

Mr ROSSI: No, I have not lost them. They are registered and I am licensed, so do not worry about that. This legislation does the wrong thing. Gun owners need these weapons to shoot at scavenger animals. In 1949 when my father came to Australia and in 1952 when I came here there were problems with large kangaroos, eagles and snakes. The only rifle available in those days was either a single shot or a seven shot magazine. These people did the job; they did kill animals. So, I see no reason for a magazine holding 30 or more bullets. I think that a weapon holding five bullets is ample for most purposes in primary production.

Mr Brindal interjecting:

Mr ROSSI: That was lack of practice, I would say. A bigger target would do the job; I realise that. Mind you, that was at the Port Adelaide Dean Rifle Range. At one time I was there to hold up the target sign and there were no bullets fired. I went up the mound to find out what the problem was and somebody started shooting at me, so I dived at the ground. I have had a lovely time.

An honourable member interjecting:

Mr ROSSI: They missed, unfortunately for you. Again, I support all the amendments that the member for Florey has

foreshadowed, and I also agree with most of the comments that the member for Peake made about national service. I mentioned in an article in *The News* in 1982-83 that I believed that young people should be involved in civil defence. I used the words 'civil defence' purposely because, as a teenager, national service to me was the Vietnam war, where people were sent overseas to kill when there was no justification as far as I was concerned. But, in civil defence, teenagers are trained to be responsible and are taught a trade. They could be planting trees, building bridges, building a railway line to Darwin and helping elderly people to cope in their homes. All these things can be done in civil defence by young people, and they benefit by it. I also criticised the Prime Minister for allowing insufficient time to discuss this issue with the gun owners. There has been insufficient debate, and there have been insufficient negotiations with the gun owners.

Most importantly, I still believe sincerely that this legislation will not stop further murders of the magnitude that happened at Port Arthur. At the time, I was in Rome on a Sunday and at 5 o'clock I heard this on the local TV channel. It really upset me to hear what had happened in Australia. I would have expected that type of problem to occur in America somewhere, but not in Australia. Of course, the media bear some responsibility for what is happening because, for a person who feels that he is unimportant, is a failure to the community and nobody loves him, there is only one way for him to feel important, and that is to be reported by the media. Some of these people are mentally disturbed, and I believe that, while the media cover these violent events, they will continue to occur. In Singapore, either through Government censorship or media cooperation, unpalatable actions by the community are not reported, and I must say that I did not see too much violence or graffiti over there or things like that which are apparently occurring in this small community. As far as I am concerned, Adelaide is a small city compared to some cities overseas.

Members interjecting:

Mr ROSSI: We will see how we go on that one. Another argument is that, if this issue goes to referendum, there might be tighter gun controls. When I first entered Parliament I believed that politicians could not be trusted, and I still believe that you cannot trust politicians.

Mr Brindal: Can I trust you?

Mr ROSSI: No. I believe that if we should pass legislation and that, if the Prime Minister Mr Howard has drawn up legislation, it should go to a referendum so that it is enacted not on the signature of the Governor-General but on the majority of votes on the day. On the other hand, if there is just one paragraph asking, 'Do you believe guns should be controlled, Yes or No?', and then politicians draw up legislation, who knows what type of legislation will eventually come to bear? As much as possible we should give the people the right to choose what they want rather than us making emotional judgments and passing legislation which could be changed next year, in the next 10 years or whenever.

Ms STEVENS (Elizabeth): There is no doubt that the tragedy at Port Arthur on 28 April this year rocked the nation. There is no doubt that unimaginable havoc has now been wreaked on the lives of individuals and their families as a result of this incident and will probably be with those people and everyone they come in contact with for the rest of their lives. It was in the aftermath of this tragedy that we were all searching for a reason to explain why the tragedy happened

and for ways to address some of the issues that arose from the incident.

I refer to the issues of guns, violence in our society and mental illness and I would like to talk about those issues briefly, and I will start with mental illness. I was interested to see that soon after this tragic incident occurred, in a brief comment to the media one of the officials involved dropped the line that Martin Bryant suffered from schizophrenia. I believe that was completely false but it was taken up by the media and suddenly mental illness found itself in the headlines in respect to this incident.

Mr BASS: Mr Speaker, I rise on a point of order. The clock has not moved for about five minutes.

The SPEAKER: The Chair is most grateful to the honourable member for that observation at this hour of the night. The member for Elizabeth.

Ms STEVENS: I was concerned that that happened because, having been in contact with many people in our community suffering from mental illness, I was aware that they have often been pointed to as a group who could not be trusted and who were prone to violent acts against other people. Therefore, I sought information from a number of informed sources about this matter and I want to put that information on the record. I asked a couple of psychiatrists, including Dr Jo Lammersma, President of the Australian and New Zealand College of Psychiatrists, about the issue of violence of this nature and violence generally in connection with people with a mental illness.

I asked her whether there was anything she knew about people behaving in this way. She said that there was no particular evidence that people with mental illness were more prone to such violence than others. She said that the only thing was a group of characteristics involving people who were likely to be involved in such an incident. She said those characteristics were being male, being between the ages of 17 and 25, were likely to have been involved with drugs or alcohol and prone to having some sort of stress in their lives. That is the list of likely characteristics that psychiatrists claim apply to people who could possibly commit such acts. These sort of characteristics could apply to thousands and thousands—

Mr Brindal interjecting:

Ms STEVENS: As the member for Unley points out, it could apply to 25 per cent of the population. What they went on to say was that the majority of people with a mental illness are not violent and, if they are, they are violent mostly to themselves; secondly, to people who know them; and only in very rare cases or never would a person with a mental illness be involved in such an incident as Port Arthur. I wanted to put that on the record because a number of people have raised the issue of mental illness. When speaking about the Port Arthur incident, even the Prime Minister brought in the issue of mental illness, and we should cut that dead right now and acknowledge the fact that a link between Port Arthur and mental illness is incorrect.

The second issue is the general one of violence in our community, and this is an important and complex issue. The causes of violence in our community are not easily categorised and cannot be laid at the feet of a particular group. We need to resist the temptation to do that. We also need to address that issue and it means that we need to have more discussions or more examinations of the causes of violence in our community and what Governments need to do to address it. Governments around Australia reacted very quickly to the tragedy at Port Arthur. We were all affected by

what happened and emotions were running strong. As he explained earlier today, the Leader of the Opposition put forward a 10-point plan which was supported by Labor within days of 28 April. That plan was endorsed by the Australian Labor Party's State Council a few weeks later at its very next meeting.

It is interesting to note that, as other members have remarked, attempts at national, uniform gun laws have been made before. For example, the Hawke Government tried and failed. It is an interesting point to ponder that, given that we have a Liberal-National Party Federal Government and Liberal Governments in most of the States, we might not have this legislation before us if that was not the case. Those Governments have taken their stance and there is the immediate bipartisan support of the other major Party, that is, the Labor Party. If there had been a Labor Federal Government, as was the case previously, the support across the country might have been very different. However, we are faced with this situation and we need to go forward with it at this time.

We cannot get away from the fact that guns are dangerous, that they are extremely efficient killers and that they need to be controlled with a national, consistent policy. A few weeks ago I attended a meeting which was called by the gun control coalition and at which a number of facts were presented. A number of members who have already spoken mentioned some of those points, but I will reiterate them. The point was made that there are 500 to 600 deaths annually as a result of firearms. The gun control coalition also mentioned that 80 per cent of firearms deaths occur to firearm owners or their families.

Mrs Rosenberg: How many were suicides?

Ms STEVENS: As the member for Kaurua asks, those figures include suicides, which is also an important issue, namely, suicide through guns. The point was made that in the United States—and I know that the United States is different from Australia—for every one intruder killed by a gun, 43 family members or friends die from suicide, homicide or accidental shootings. The final point made was that 50 per cent of gun deaths are women in domestic violence situations. Other members have referred to the road toll and the many accidental deaths in hospitals, but are we saying then that, because a large number of deaths are caused through car accidents or hospital accidents, we should therefore not do anything about guns? I believe we should be doing sensible things in relation to all three issues.

The vast majority of people to whom I have spoken over the past few months since 28 April have overwhelmingly supported national uniform gun laws. I also accept the fact that the vast majority of firearms owners are law-abiding citizens, and I have spoken with a number of these people and passed onto the Government the issues they raised with me. I sympathise with their feelings of anger that they now must give up their guns and are being restricted when they have been law-abiding citizens. I sympathise with their feelings.

I also believe that all citizens should have the right to a fair hearing, and I know that many gun owners feel they have not had this opportunity. The Government must bear the consequences of that lack of process and fairness in not giving all groups an adequate hearing. I conclude by saying most emphatically that I support the proposals agreed to by the Police Ministers on national uniform gun laws. I also hope we can make the final product of this legislation as fair as possible to all parties, and I look forward to the Committee stage.

Mr CAUDELL (Mitchell): Can members imagine an attempt to bring forward this Bill after circumstances other than the Port Arthur, Tasmania, occurrence? Most of us remember what we were doing the day John F. Kennedy died; most of us remember the day man landed on the moon; and most of us can also remember where we were the day those people died at Port Arthur. No-one would argue with the resolve that has arisen from what happened at Port Arthur. Tragedy that has previously occurred in this nation has provided a spark of interest in reform, only to be dampened by those campaigning on behalf of the gun lobby or those with other interests under the platform or guise of State rights.

There is no doubting that the gun lobby has at its disposal enormous facilities and resources. It has been successful in putting out the spark of previous reform; and it claims credit for bringing down Governments, both within Australia and overseas, which had previously attempted reform in relation to firearms. This time the silent majority has expressed strong support for reform. The happening at Port Arthur still runs strong in the minds of all Australians. The majority asks, 'Why do people in suburbia need to have semiautomatic weapons and pump action shotguns?' The Farmers Federation has recently come out in support of the proposed gun legislation. The *Stock Journal* of 16 May ran the headline, 'Guns banned. Farmers support firearm controls'. That newspaper (page one) states:

South Australia's rural community has welcomed dramatic moves by the Federal Government to control firearms, despite initial concerns from pastoralists and the South Australian Farmers Federation.

The article continues:

Under licence category C, primary producers can gain an exemption from the main ruling by demonstrating that other firearms won't do the job.

The *Stock Journal* by its headline supports the proposed reform. It would appear that the opposition to reform comes from those people who shoot occasionally on weekends or who use guns associated with target shooting. This is not a debate of country versus city. The *Stock Journal* indicates that the Farmers Federation approves of reform. This is a debate from suburbia, the opposition coming from those people who do not shoot for occupation.

I have constantly asked those who have put cases before me why we should oppose this legislation. I have constantly asked those people, if they want to overturn this legislation, why they need a semiautomatic or a pump action shotgun? The responses that I have received have been varied. First, I have had the response, 'We need it for self-defence.' I have received letters in my electorate office from people who believe that we need to have rifles in the bedroom under the bed ready for the defence of this country in case we have hordes moving down from the north. And I have had letters from people who have said, 'We need it for self-defence in case someone comes onto our property'; 'I need it for self-defence so I can blow away the person who is committing a crime against my property.'

We see enough crime associated with people who use weapons. People have written to me and said that it is their right to carry arms. I also have met people who have said, 'We need pump action shotguns and semiautomatics to shoot goats, feral pigs and rabbits.' Yesterday, I had a representation from the Combined Shooters Council and we went through a list of issues about which they had concerns. They told me that the proposed legislation will not keep firearms

away from criminals or prevent incidents such as Port Arthur happening again.

No-one denies that a situation such as Port Arthur may happen again in the future: we all wish and hope that such an incident will never occur again in Australia, let alone South Australia. However, by removing the semiautomatic weapons and the pump action shotguns from the scenario, we have a chance to reduce the incidence in the short-term. We have a chance in the long-term to make the hard yards—to make it harder or impossible for those weapons to fall into the wrong hands. People who have run a service station, a chemist shop or a delicatessen, or those who have worked in banks, will all come out in total support of the proposed legislation.

Prior to entering Parliament, I had two service stations, both of which were held up by offenders with pump action shotguns. Fortunately, both those offenders are now behind bars. The people who worked for me at those service stations which were held up by those persons using pump action shotguns suffered extreme trauma and had a period off work. The experience of having those weapons pointed at them will always return to them and haunt them. It is the same for all those people who have worked in similar situations. We must make it as hard as possible for those styles of weapons of mass destruction to fall into the hands of the wrong people.

The matter of illegal ownership of firearms was raised with me yesterday, and it has been raised at other times, along with the issue of unregistered weapons. Quite correctly, there is a need to address the issue of reducing the number of firearms in the marketplace that are unregistered or are held illegally. We need to address the issue on a Federal basis. We need to provide funds federally for the removal of those firearms as soon as possible through the police Ministers. Many people have constantly told us that large numbers of weapons are held in the marketplace illegally, and funds need to be provided to ensure that those firearms are removed from the marketplace.

I support short-term immunity and provide remuneration for weapons that are held illegally in the marketplace. I have received expressions of concern from a number of local residents from within the electorate of Mitchell. I will read one of those letters that was faxed to me on 17 July, as follows:

Dear Mr Caudell,

Please accept this communication as a serious and very definite personal opinion regarding the subject matter and a brief comment on merit of the South Australian Government.

The 'gun debate' has gone far enough!

Mr John Howard's Government, elected by overwhelming mandate, has declared the preferred position and stated the objectives supported, without doubt, by a vast majority of Australians.

A decision has been made by the democratically elected highest office holder in the country and your Government appears to persist in attempting to vary the objectives and/or precise action necessary. We are not dilly-dallying any longer. This legislation will be moved through this House tonight, no matter how long it takes, whether it be in the wee hours of the morning.

As I said, a number of letters have been received in my office from local residents relating to their concerns about why people need to have semiautomatic weapons and pump action shotguns. These people have not been convinced of the need for those weapons and have been unable to convince me of the need for them. Those people have been unable to convince the majority of State and Federal Ministers on this issue. They have been unable to convince the overwhelming majority of Australians.

I wish to comment on a number of issues regarding the Bill, both in this stage and in Committee. I support the classes

that have been established by the police Ministers in their conference in Canberra. I support the alterations that have been made by this State's Minister for Police in relation to the holding of firearms by those people who have a mental or physical condition that would make it unsafe for them to possess a firearm. It is a welcome step at long last to ensure that those people in that situation cannot get a licence to hold a firearm.

I have some concerns with regard to the provision that allows a person of 15 years of age on a country property to use a firearm whilst unaccompanied. If they are bound to be given a licence, that should be done only when they are in the company of a licensed firearm holder. In relation to the provision relating to the identity of an applicant, proposed new section 12(5)(a) provides that the Registrar may require the applicant to identify themselves on obtaining a licence. The wording for that clause should be changed to ensure that that person must provide the necessary identification.

I agree with the provision that changes the type of licence being provided to people from the current paper licence to one that includes a photograph. I also agree, in consultation with members of the gun lobby who have been to my electorate office, that there should be compensation with regard to a period for people returning ammunition that they may be holding for weapons such as semiautomatics or pump action shotguns, because I am advised that there is a large cache of ammunition in the marketplace in South Australia.

I have some concerns with regard to the wording in the legislation on the handling of firearms whilst under the influence, and I have spoken to the Deputy Premier and Minister for Police. I believe that provision needs to be amended to ensure that a testing be done on a person and that, if the person has any alcohol on him or her, the firearm should be removed.

Some people have written to me and compared automobile accidents with the use of firearms. I have a problem with the comparison. As we all know, if we are in our car and are hit by another car, there is a good chance that we will only dent our fender or a possibility that we will end up in casualty. But if we are hit by a bullet, I guarantee that we will end up in hospital and there is a bloody good chance that we will end up in the morgue. I support the Bill.

Mr MEIER (Goyder): The tragedy at Port Arthur will live with us for a long time, and I take this opportunity to extend my sympathy to the families and friends of those victims. It is an occurrence which none of us would want to see repeated and which obviously has precipitated the legislation before us this evening. When people contacted my office prior to the gun summit on 10 May, I said 'Look, be realistic. Decisions will not be made in one day on such a big issue as gun control.' I was wrong, because basically the issues were addressed in one day and the gun summit produced a series of resolutions that provide the basis for this legislation.

I think the events that have occurred since 10 May indicate that it would have been far better to have taken a different approach. Certainly, the issue of military-style weapons could have been addressed there and then, and I believe that the vast majority of Australians would have accepted the prohibition of military-style weapons, and that could have occurred forthwith. But the other firearms issue needs a lot more thought and a lot more consideration. Since that time there is no doubt that an enormous amount of discussion has occurred. There have been rallies around Australia; and there have

been probably tens of thousands, maybe even millions, of letters written and phone calls made. I know that I have received my fair share during that time.

I do not believe that to announce things and then to have the negotiation was the right way to go about it. The negotiation should have occurred first of all in a manner that gave sufficient time for everyone to weigh up the various issues involved. The counter argument to that would be that we would never get agreement. But I point out that in this very State, for the better part of two years, this Government had set up a committee to seek to amend the firearms legislation in South Australia, to strengthen it and to make sure that it was more appropriate legislation.

We are well aware that the member for Florey was one of the key members of that committee. Whilst I have not seen the recommendations, I believe that they were in hand and that it would have been only a matter of time before this Government after spending the better part of two years would have come up with slightly modified legislation. Let us be honest: this State had probably the toughest legislation in Australia. I would like to compliment the Deputy Premier as Police Minister for the way in which he endeavoured to push for South Australia's legislation to be the model. He did his best to try to convince the Federal authorities in particular and the other States to follow South Australia's lead so that we would be able to have good gun regulations and legislation, but he did not win that argument. I think some of the other States might be reconsidering now whether they should have agreed to South Australia's legislation in the light of what has happened since, but that is history.

There is no doubt that the Commonwealth has sought to dictate on this issue. I was interested during the swearing in of the new Governor (Sir Eric Neal) yesterday to hear the Premier say in his speech:

Many young Australians, and particularly the younger Federal members of Parliament, seem to have forgotten that it was the States which created the Commonwealth Government of Australia and the Australian Federation. The States created the Commonwealth, and I can assure you that the States still experience parental problems with their sometimes delinquent child, the Commonwealth.

I believe that this firearms legislation is a classic case of the Commonwealth deciding to dictate the terms. We saw the Commonwealth try to dictate the terms with respect to sales tax exemption. The States fought hard and won that battle. I believe that the States fought hard on this matter, but the Prime Minister in particular was determined that the resolutions that he wanted be brought into effect. It should not be forgotten—and one or two other members have pointed this out—that it was irresponsible of a previous Federal Government to allow millions of military style weapons to be brought into this country. We know that Bob Hawke presided over that Government. It is easy to go back in history and say that this is the reason for it, but we have to fix it now, and that is not easy. I am annoyed that the Federal Government has taken the attitude of 'This is what we want you to do and you, as States, will do it', because States' rights are very much in question in this whole issue. I will allude to that a little more later.

I complimented the Deputy Premier earlier on his approach to this matter. When he did not get agreement that South Australia's laws should be followed, at least he sought certain concessions. I telephoned him and faxed information to him before he left for Canberra for that 10 May meeting to say, 'Please consider rural constituents.' I acknowledge the Deputy Premier's work in seeking to get some recognition for primary producers. Personally, I would say that the legisla-

tion is insufficient in that regard, but originally the Federal Government or its hierarchy would not give any exemptions to the rural sector, in particular primary producers. At least some concessions were gained. Since then I have done a lot of lobbying in various areas, and I would like to thank the Deputy Premier for being able to get some further concessions for collectors. Unfortunately, those concessions are not reflected in this legislation. We will have to wait for the regulations, but I take the Police Minister's word that the situation for collectors is vastly improved.

I cite the case of one collector in my electorate who has a magnificent and massive collection. He has three particular weapons that are in this prohibited category, vintage 1900 to 1912 .22 self-loading rifles that have not been fired for many years. When he called at my office and asked me about them, I said, 'They are pre-1946, so you will be okay, but I had better ring Canberra just in case.' I rang Canberra, but the answer was, 'No, they are prohibited weapons.' I said, 'So they will have to be modified accordingly?' The reply was, 'No, they cannot be modified; they will be confiscated.'

I was outraged at that, and I am very pleased that the Deputy Premier has been able to obtain some concessions, so it is my understanding that those weapons will be able to be kept by a collector, as long as an integral part of the mechanism, such as the bolt, is removed from the weapon and kept in a separate place. At least it can be put back together again so it will not lose any of its collector's value. With respect to military style weapons, I understand that they have to be disarmed and I know that that ruins the quality. I sat next to a person at a gun rally at Moonta whose whole collection is military-style weapons. I feel very strongly for him, and I wish there was a way they could be incorporated so he could keep them. According to him, there are some very valuable weapons in that collection.

The Deputy Premier also undertook to ensure that clay target shooters were able to have their semiautomatic shotguns, and he has sought to negotiate further as to compensation, particularly in relation to the accoutrements, namely the sights, tripods and other accessories to the weapons. I am still not happy with the compensation for weapons. I do not think it will work satisfactorily, for two reasons. First, those people who have particularly good firearms may not get full compensation. However, the owner of a firearm in average condition will probably be quite satisfied. Then there is the type of person who perhaps has had a firearm thrown around in the back of a ute on the farm, and it is really worth only \$10 or \$20, yet they may receive \$200 or \$300 for it. There will be discrimination, and I wish there were a more realistic way that compensation could be ascertained.

Many questions have been put to me by constituents but, because of the time, I will not go into many details on those. Unfortunately, there is no doubt that honest gun owners stand to lose the most. There is little doubt that many individual and some general situations exist for people to own some of the guns specifically banned at the summit, or for there to be modifications to some weapons, such as semiautomatic shotguns and semiautomatic rifles, to limit the number of rounds that can be fired to, say, two or three.

I for one pushed very hard for weapons to be modified so they would be restricted to say two or three rounds. I know that some of my constituents said, 'That is a fairly poor compromise, John. We are still having our firearm restricted in its use,' but I said that at least it would be something. Again I give credit to the Police Minister because he publicly

supported it. He pushed hard and in fact he felt, as most of us did, that the Federal Government would accept crimping. We have all read about the debate in the newspapers, let alone heard about it here tonight.

I now find that I am in a catch-22 situation. If I seek to support the amendment that is before us for crimping, or support the amendment proposed by the member for Florey for an extension for those people who can own firearms, I know what the repercussions will be. The repercussions are that the Prime Minister has indicated he will call a referendum on the issue. A few of my constituents and I feel that the best approach is to say, 'Right, go for a referendum.' The fairest way out of the whole thing may be to have a referendum and let the people decide. However, I acknowledge that the referendum questions may not be determined by the majority Party in Parliament. They are highly likely to be determined or influenced by the Senate where the ALP and the Democrats have a majority. If so, the questions for a referendum would almost certainly be worded in such a way as to ensure that, to all intents and purposes, firearms are excluded from the general community. In other words, they would be banned.

That causes me even greater problems. Do I take the risk and seek to get crimping in and have a referendum called and do my constituents a lot more harm after having tried to get a compromise, or do I say, 'I will call your bluff'? Many of my constituents are very upset at what they see as a breach of their freedom in not being able to own firearms. The answer will never be known. If this legislation does not pass, I do not know whether that will call the Prime Minister's bluff. However, last week, when Western Australia, Queensland and the Northern Territory were still holding out, I thought that they would not budge.

I was in the Northern Territory a few weeks ago speaking to a few of the members there, and they were adamant that they would not budge on certain issues, including crimping. They have budged, and I believe the reason comes back to States' rights: that the Commonwealth has made it clear, 'If you want to exist as States, you will do as we say. If you transgress, we can guarantee that we will seek to take more powers away from you and you will simply become a puppet of Canberra.' That is the other problem that I have, and I will say more on that when the amendments are moved in the Committee stage.

I want to refer to a few of the many letters that have come to me, particularly from people in my electorate. One person in Kadina says:

The job ahead for your Government is understandably a hard one. I believe that South Australia has a very good working licence and register system, a system the SA Police and State Government have worked out well. This should be the way to go and for other States to use as a benchmark to follow.

Hear, hear; I fully agree. I think I have outlined that earlier in my comments. I have another letter from someone in Wallaroo who says:

Estimates of the numbers of semiautomatic military-type weapons in Australia vary dramatically, but it could properly be said that there are large numbers, and most of these are not registered, nor are their owners licensed. I suggest these weapons should be the target of the Government, not the small calibre .22s etc., or shotguns that are so much of the farmer's stock-in-trade.

That is a very good point. As has been pointed out on many occasions: how will we get unregistered weapons to be handed in if they are not to be compensated? I have already heard reports in my constituency of weapons being buried. I do not know whether they are registered or unregistered, but I assume that they would be unregistered weapons. Legisla-

tion which forces people to go down that path grieves me. I wish that the Federal authorities had thought further before endeavouring to bulldoze the States into enacting this legislation. In another letter, this time from Moonta, the writer states:

To my knowledge not a single firearm has attacked anyone. To my knowledge, I would have to agree—it is the person behind the firearm who is the problem.

Other issues should be addressed and have to be addressed in due course, particularly if this legislation goes through. Issues such as violent videos, particularly those that have people with semiautomatic weapons—and I believe some of them even have automatic weapons—just mowing people down, must be considered. I would like to see that type of video banned forthwith. Saying that we should restrict that type of violence on television until 9.30 at night will not do a thing, because most people who are addicted to that type of violence will hire videos—they will not watch it on TV when it finally comes around.

I have concerns about the way in which this legislation has been brought in. I will seek to make more comments during the Committee stage. This is similar to the situation when the Commonwealth tried to force the sales tax exemption on the States. If we had been forewarned, we could have sought to avoid many of the pitfalls that have befallen us. To my way of thinking, many of these firearms are real collectors items, which does not necessarily mean that they are held only by collectors, because in many instances they are handed down over the years. I certainly feel for the people who will be affected by this legislation, if it is enacted.

Mr LEWIS (Ridley): I speak as someone who has been shot more than once; someone who has had training in the use of firearms; someone who has had training in ballistics, in ordinance and in artillery and the use of explosives; someone who does not now own a firearm; someone who has owned a firearm, including for the first time when I was eight years old, which was clearly illegal; and someone who has visited and worked in many countries on this planet where there are a very wide range of laws, or the absence of laws, relating to the ownership and use of firearms. I believe I can therefore say with certainty that this legislation is just 'feel good' legislation based on emotion that is proceeding from complete ignorance of the relevant facts. Facts about firearms, their use and their effects, facts about social behaviour and the root cause of that aberrational behaviour which caused Hoddle Street, Goulburn and Port Arthur are all horrific and all terrible in their momentary consequence for the people who suffered. However, I will come to that in more detail in a moment.

Who would have believed in 1979 when I was elected to this place (less than 20 years ago) that, by 1999, we would pass laws which would result in more firearms going underground than there are rabbits? Yet I believe that is what this legislation will achieve. We are also alienating thousands of South Australians who have been responsible, law-abiding citizens during the course of their lives in the way in which, for their own purposes, they have sought to enjoy themselves and obtain their recreation. They have owned and used firearms responsibly, not as weapons to kill other human beings.

This legislation will not prevent a repetition of those multi-massacres of the kind that we have seen in the past 15 years. It is for that reason that I am opposed to it. In the first instance it was unconstitutional for our Prime Minister to

have even weighed into the debate. It may have been politically expedient but it was unconstitutional. It may have won him some brownie points among the mass of ignorant, ill-informed people who do not understand what a firearm is and who fear even the sight of a firearm because they have never been introduced to it. But it will not alter the crime statistics relating to gun use. For, in the last minute, the Prime Minister to have rejected the options of modifications of magazine size by the techniques commonly referred to as crimping or, in the case of spring clip magazines, pinning, further alienated all those people who would otherwise have accepted that as a compromise. They now find themselves in a position implacably opposed to the illogical view that he has of society and of facts relating to it, no longer therefore willing to trust his judgment on a wide range of other issues because they see in this instance that he has not taken account of facts: facts about social behaviour and facts about firearms and their engineering.

You and I know, Sir, if no-one else here knows—though I am sure that there are many who do—that to re-manufacture those magazine sizes in the fashion in which it has been suggested by people like Phil Johncock, means that it would be at least as difficult to try to reverse it as it would be to make yourself another firearm. If you give me a lathe and four hours or so and I will turn you out a firearm—lawful or otherwise. So it is not as though his view of what ought to happen and what we therefore propose in this legislation will solve any damn thing because those people who have the wit will be able, without having to purchase a firearm, to make one themselves. They know the critical temperatures at which tempering of the metal involved has to be set and they know the techniques and the engineering tolerances and so on that are necessary to make it functional. They do not have to test and try but can simply go do it.

So it is daft to take those firearms, treating them as weapons of death of human beings, and simply melt them down at the expense of the public, many of whom are the people who own them now anyway, and who will be paying the extra levy on their Medicare, to pay themselves for the firearms they have to surrender under the terms of the legislation we have before us, given that the Prime Minister and other members of the Federal Cabinet keep their commitment to make those funds available in fairness to the States and through them the agencies that buy back those firearms because they are mistakenly believed to be weapons that will be used to kill people in massacre.

The argument advanced by many others in this Chamber today that by removing those firearms in the fashion in which the Bill proposes will in some way reduce the risk of another Port Arthur is inane, especially since they do not address either of two other major things: the cause of the aberrational behaviour, that is poor behavioural attitudes, anti-social behaviour and, secondly, the threat that is posed by somebody with a hypodermic needle filled with a red substance, blood or not, that is said to contain HIV or some other deadly disease or for that matter arsenic (or cyanide that can be easily obtained from bitter almonds or apricot kernels)? That is even more deadly than a bullet from a .22 rim-fire semi-automatic. How many honourable members here know that the shock of the release of energy that comes from the impact of a .22 slug is not sufficient to cause dislocation, disorientation or to break bones in most of our bodies? Indeed, for a rim-fired .22 to kill a human being it would have to have the unlikely penetration point through the eye socket, the soft

temple or between the ribs and into the heart, and that is not very likely.

I can say to the member for Hart that it is similar with a shotgun. The next time I am shot with a shotgun will not be the first or the second, and I will take my chances any day with someone who fires a shotgun at me from 50 metres; it is not at all likely to cause death. Indeed, you would be more likely to die from injecting yourself with heroin, and thousands of people do that every day. We have a Federal Health Minister and Health Ministers in the States who are advocating making syringes freely available to everybody, along with free narcotics, knowing that of the people who will use those free syringes and the narcotics they provide to them as addicts, a percentage of them will kill themselves, and a far greater number of Australians will die, yet tonight we have set about the course of destroying hundreds of thousands of firearms that are worth millions of dollars, simply because a few people have died where those firearms have been used irresponsibly as weapons.

Let us consider a few facts, and I am indebted to Richard Lutz for these. Of the 516 Australian gun deaths in 1994, over 80 per cent were suicides. Of the 126 683 Australian deaths from all causes during 1994, guns caused .0041 per cent. During that same year, 98 times more people or thereabouts died in vehicle accidents than died in gun accidents. Indeed, if we spent the levy that we will impose as an addition to Medicare on buying every motorist a helmet, we would save 10 times more lives than we will save by buying guns and melting them down. Where is the greater merit if we want to save life? In the same year, 34 000 Australians died of cancer compared to 76 gun assault deaths. Only 1.75 per cent of all homicides in Australia are committed with centre-fire rifles, and that includes bolt action as well as semiautomatic sporting rifles or any other kind.

The gun death rate has been steadily dropping for the past 20 years, despite many more guns being imported to and manufactured in this country during that period. For all its pains, the Federal Government has said nothing about this matter. It has presided over the importation of the firearms that have been used in these massacres—the semiautomatic, military-style weapons which were designed to kill people and to lay down a pattern of firepower that would require those on the other end of it to take cover, where in many instances the accuracy is dubious.

In 1987, the New South Wales Government commissioned a report by the then registrar, Chief Inspector Newgreen, who concluded that firearms registration in the way it is implemented is costly, ineffective and achieves little. In his view it does not repress or control the criminal misuse or irresponsible use of firearms. In SA in 1993 we passed amendments to our Act and made it illegal for ordinary people to use a gun for self-defence or in defence of another person. That, by the way, does not apply to security guards hired by the rich, nor does it apply to anybody charged with the responsibility of looking after us in this place and the Ministers, wherever they go—that is, the police. The people who bear pistols as side-arms have to do so, because they have Government issue hand guns.

This says something about our attitude towards the citizens for whom we pass these laws and the way in which we regard ourselves as compared with them and their interests. On 10 May this year the State and Territory Police Ministers agreed to make it prohibitively expensive for many poor people to own hand guns of any kind and they also agreed to outlaw gun defence for ordinary people in this

country. That was despite assurances that poor women in remote areas would still have access to firearms for their defence. What nonsense.

I could go on from the list of facts that has been provided about what goes on in America and I will in a couple of instances. Professor Gary Kleg has pointed out that Americans' use of guns to defend against one million crimes a year rarely results in any shot being fired and, further, whilst he is considered to be the leading US criminologist on gun control, he has pointed out that, if gun laws are carefully tailored to target only criminals while leaving the general population armed, controls have some minimal criminological value. He rejects arguments for the banning of guns as misguided and against the facts. In the District of Columbia, Washington DC, the Federal capital of the United States—

Members interjecting:

Mr LEWIS: Indeed, it is, and they have banned hand guns since 1976. I am pleased to have the Minister confirm that it is the murder capital of the world. That same district requires long guns to be disassembled and stored separately from the ammunition. The tragedy is that it now has the highest murder rate—

The Hon. S.J. Baker interjecting:

Mr LEWIS: As the Minister at the bench, the Deputy Premier, points out, it is 75 per 100 000 of population in 1993.

The Hon. S.J. Baker interjecting:

Mr LEWIS: And they are all illegally owned and used by the people who perpetrate the crimes using them. It does not alter the fact that the law says, 'You may not own them.' They get them and use them. If we prevented the importation and manufacture, lawfully, that would not stop them being manufactured unlawfully. As I have pointed out to the House and I remind the Minister, give me 4½ hours and I will make him a semiautomatic. Forget about crimping. It is inane to be burning those firearms in the fashion proposed, especially when we consider the consequences of the way in which it will be regarded by the people who have owned them, used them and trained others in their use, and recreational use, responsibly. Equally and importantly, at least we have been able to get some modification of the Prime Minister's view regarding people living in rural areas and obtaining their living from primary production require access to firearms in order to control pests that would otherwise cause them considerable loss.

God knows, it is inconvenient enough, and the way in which the law is already written in South Australia makes it extremely difficult to have access to that firearm in your farm vehicle. One is constantly having to take the damn thing in and out of the vehicle, if you are to comply with the law. The legislation we had in South Australia was draconian enough and it was a good enough model to be adopted elsewhere. If controls were working, they were most certainly working here through our present legislation.

In the time left to me I want to address the real problem, and that is the models of behaviour being acted out by people who commit these massacres. They have less than an average IQ. They are introspective as adolescents and they become anti-social and remain introverted, maladjusted misfits in adult life. The reason they take up this view of the world, in which they get fascinated with firearms, is that they watch too many videos and films which portray success in the wielding of power of characters that are antihero, like Chuck, and violent and destructive, and they model their behaviour on the

gratification which Chuck got from the murders that Chuck perpetrated.

They play those same sorts of games in stylised form on penny arcade games and on their personal computers at home, where everything that comes on the screen is alien to them and they use automatic or semiautomatic stylised firearms with projectiles constantly being radiated from the point of discharge blowing away all images before them. That is where they get the model of behaviour, that is where they get the fixation, and that is what they act out when they kill other human beings. When it does happen, tragic and violent though that is, it is shown as news in horrific form in spilt blood for the sake of sensation and not for the sake of public reporting and education by the electronic media, especially TV, but less so in the case of radio. The print media make a fuss of it, too, now that they can print pictures in colour. That is the tragedy. It does not make people understand any more clearly or better. Worse than that, the Prime Minister has overlooked that problem entirely. How sad.

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

Ms WHITE (Taylor): I support the stance expressed by the Opposition's lead speaker on this Bill, the member for Playford, and in so doing I wish to make a few observations about the legislation. I will save most of what I want to say about this Bill for the Committee stage. I thought long and hard about whether I would contribute at this stage of the debate because of the impact that my words would have, particularly on the people who matter to me most, that is, members of my own family.

Those members who are aware of a little of my personal history may well be expecting, as my family may be, a speech of high emotion that is distinctly anti-gun. Indeed, high emotion is involved in the trauma of my own family in having witnessed a loved one commit the gruesome act of suicide with a shotgun in the family home in front of family members. However, my very short contribution tonight will not be anti-gun but a rational consideration of some very important issues in this community debate.

Like most members of this House, I have had a large number of representations about this issue. A lot of gun owners have been very helpful to me in providing information and responding to my questions about the impact of parts of this legislation on the community and on gun owners themselves. The horrific crime which occurred at Port Arthur on 28 April 1996 and which took the lives of 35 people shocked the nation, and the irrationality of that crime terrified the community and caused a strong reaction and a desire to limit access to high-powered firearms.

I strongly support the case for strict firearms control, and South Australia has some of the toughest gun laws in the nation, certainly better than the gun laws of Tasmania, and the Tasmanian Government has something to answer for in that respect. That is not to say, however, that in this State loonies, such as that perpetrator in Tasmania, cannot get their hands on high-powered firearms. Whether any legislation we pass here tonight will achieve that restriction on access by such people is hard to judge. Uniform gun laws across the nation should be an aim.

One issue that has been highlighted most strongly during this debate is that no-one really knows what guns, how many guns and where guns are kept in our nation. Despite the very high emotion surrounding this debate—and that is not to say that there is no place for emotion in a debate of such import-

ance—and despite some of the very uncomplimentary things that have been said about gun owners, when we walk down the street we cannot identify a gun owner from a non-gun owner.

The aim of this legislation is two-fold: first, to prevent incidents such as that which occurred at Port Arthur earlier this year, and whether this legislation goes some way to doing that I hope we never have the unfortunate opportunity of discovering. The other aim, undoubtedly, is to make the community safer. Whether these aims are achieved in the end, perhaps we will never know. What is certain is that this legislation will result in high-powered guns being taken away from a great many people in our community. Whether access to firearms will be taken away from those loonies who do shoot people is uncertain—I certainly hope that is the case.

Claims have been made that this legislation will send guns underground. All I say is that I hope that will not be the case when legislation is finally passed, in whatever form, through this House. It has been claimed also that this legislation punishes responsible gun owners and, indeed, this legislation targets lawfully registered guns without addressing the issue of non-registered or unlicensed guns. That police will know where to look for the registered firearms but not necessarily where to look for the unregistered firearms is a very annoying consequence of this legislation.

It is worthy of comment, and just comment, that life can be very ironic at times. We are here tonight debating legislation on gun ownership, yet the first gold medal that we as a nation won at the Olympics in Atlanta was in the field of shooting. That is an irony indeed.

As I said earlier, I will address most parts of this legislation in the Committee stage. However, I do want to mention a couple of things now. I support entirely the severe penalties that the Opposition will be moving for felonies committed with firearms. I think everyone would agree that targets the people who are irresponsible with firearms and that those people should be targeted. I will ask in Committee what additional police resources will be supplied to address the consequences of this legislation in terms of collecting and dealing with confiscated firearms.

After listening to most of the debate over very many hours tonight, I think that we as a Parliament, and indeed the people of South Australia, should be left in no doubt about what has been happening here tonight. Hour after hour we have listened to individual Liberal Party members in marginal seats making speeches pitched so that they can be distributed to electorates to underline their credentials with the gun lobby or gun owners in their electorates.

I wish to point out (because I think it is important) that we should be in no doubt that this is done with the knowledge that this legislation will be passed by this House in accordance with the Howard plan. Any opposition or perceived opposition expressed by individual Liberal members is expressed in the context that they know this legislation will pass. What is the confirmation of that strategy? There can be no greater indication of that than the fact that the Premier, the Leader of the Government in this State, has not said one word in this debate. He has strung out his Deputy to take the fall for this legislation. He has not fronted; he has not said one word. In that context, we should keep in the front of our minds what is happening here tonight, and I ask all members and all South Australians to remember that.

Mrs ROSENBERG (Kaurna): At the outset of my contribution to the Bill, I think it is necessary for me to put

on record some basic and overall comments. First and foremost, I am not currently and have never been a gun owner. My only personal experience in shooting was on a recent visit to the Smythe's property at Cooke Plains, in the electorate of the member for Ridley, where I participated in a clay pigeon shooting competition. For the day I managed to hit nothing, so I do not have much experience.

Secondly, I am not aware of any close friends or relatives who own guns or who are anti-gun lobbyists. In other words, I come to this debate knowing only the information about guns which I have read in the letters from the many constituents both within my electorate and much further afield in South Australia.

My background should have made me more fundamentally aware of guns coming, as I do, from a cattle and sheep property in the New South Wales outback, my family being on the land. My late mother was a very keen shooter, and most of the shooting expeditions on that piece of land involved necessity—not fun or recreation. I have many family photos which show very clearly how often I as a child accompanied the rest of the family members on those shooting events.

I raise this by way of introduction because it raises a salient point in this argument about guns; namely, as a child, up to the age of 13, I was close to family members who shot regularly, yet I can stand in this place and say quite honestly that I know nothing about guns. The subtle point of that is the very nature of the normality of guns in that context means I had no reason to fear them, to be curious about them and to assume that they were anything but part of the normal functioning of a farming process. It is my contention that today nothing has really changed in the normality of guns in that farming context for those members of the farming community who carry on those jobs on farms.

The other key issue in the shooters' letters I have received relates to the recreational shooters who shoot clay targets or stationary targets. To them, this is as valid a sport as tennis is to me. They require special consideration in this legislation. I put on record most clearly my deepest sympathy to the family and friends of those victims who were so senselessly killed at Port Arthur. No-one in this House or in the general community could watch the agony on the faces of the relatives at the memorial service without being moved. However, I also have to say that I have equal sympathy for the families and friends of victims who die senselessly as a result of drunk drivers or alcohol abuse, or for those who have died because of mistakes that have been made in a surgical procedure that they have had performed on them. However, the reaction to the Port Arthur massacre has been much more extreme than both the Government's and the public's reaction to death by any other means.

I may not know a great deal about guns, their fire power, their collection or their dealing, but I know something about the democratic process. It is my opinion that it is the democratic process that is more at issue here than gun ownership itself. Many people who have contacted my office have no basic problem with tight gun controls, but they have a problem with the basic process by way of this legislation and how it was brought into place. The basis of the democratic problem is in an invasion of privacy of private citizens whose only mistake has been to abide by our current laws and to register the guns they have in their possession.

I have a basic question about the way the Prime Minister has virtually dictated to the States how we will vote to satisfy his wishes on this issue. There is a core question here about

the State versus the Federal powers underlying this and many other decisions that were made by the previous Federal Government. As the democratically elected member for the electorate of Kaurma in South Australia, I do not appreciate being told how I shall vote on an issue of State responsibility with the threat that, if we do not comply with this vote, we will be forced to have a referendum on this issue. My response to that is perhaps we should have a referendum on this issue and, while we are using the money sensibly and asking the question about guns, we could ask questions about a whole range of other important issues that no-one seems to want to face, both in this State and federally. The bottom line must be that the results of this legislation must reflect the will of the people and must be based on an examination of issues on the basis of fact, not fiction and not emotion.

I want to raise clearly that this is a test case on an issue about which the Prime Minister feels very strongly. I do not deny him his point of view, but I question the process where a Prime Minister will control and demand this State to legislate according to his wishes, and this is not the basis of our democracy. From reading and listening to the debate about the 10 May meeting of Police Ministers and the Prime Minister, I understand that the basis of these changes is to tighten up the gun laws and to introduce uniform standards across Australia for the protection of the citizens of Australia.

I have no problem at all with that general thrust, but I am reminded that the path we are about to take is very similar to the path followed by the British Parliament. In Britain the firearms legislation was changed over many years in the absence of reliable research. Changes in legislation frequently related to isolated incidents, and the actual laws enacted affected a much broader section of the community than was originally involved in the main causal event. Proper research is necessary into the types of firearms that are actually used in the crimes and the source of those weapons used. An expectation is being raised in the community that this legislation will prevent those sorts of incidents such as that at Port Arthur from occurring again. This is clearly not true, and it is an unfortunate expectation to be promulgated by the Prime Minister. What it will do is reduce the total number of guns in South Australia owned by licensed law abiding citizens and leave out in the community the illegal, unlicensed guns. If we are serious about removing those classes of guns from society, we need to offer much more than the current estimates determined for those guns, and we would have to offer reimbursement for the non-licensed, illegal guns.

A real test of this legislation is how effective it would be in preventing criminals and would-be criminals from using firearms. As many other members have indicated, it will only be effective in the area of reducing the number of legal guns to law-abiding citizens and reducing the number of legal guns in law-abiding citizens' homes that are available then to be stolen and used for crimes. It will have absolutely no effect on the total number of illegal guns already in circulation. Fifty years after Britain's legislation had been introduced a vast pool of illegal weapons was still being used. They were constantly being recovered after crime, and the crime rate has been increasing in the use of the firearm ever since that Act was put in place 50 years ago.

The proposition that further restrictions on firearms would solve the problem of armed crime cannot be substantiated. A low level of gun theft is being reported, so this is also not a significant problem. It is obvious that illegal guns held for criminal activity will not be handed in. Even those being held

for sentimental or cash value, if illegal now, will not be handed in. In my view, trying to control the criminal use of firearms by putting more and more controls on the legitimate owner will not achieve anything. The great danger lies in the belief that they will solve the problem. While we believe this fallacy, Governments have an excuse not to address the real issues that are causing the problems.

It would indeed be a tragedy if Port Arthur happened for no good reason. I believe some changes need to be made to gun control but I question whether the legislation as it stands is the way. Very serious consideration must be given to the underlying societal changes that contribute to crimes such as Port Arthur. These crimes are not committed by the likes of one of my constituents who is 72 years old and has one of the guns that will be confiscated under the proposed laws. They are caused by people who deserve very harsh treatment by the law, but I question whether those solutions that I would like to see put in place for such horrendous crimes will ever be introduced in Australia.

I believe strongly in assessing what my constituents think about issues before Parliament, and I have conducted a survey and asked a question about the introduction of banning of semiautomatic guns in Australia. I must say that it is not really a big issue in my electorate. I received 51 answers saying they did not agree and 110 saying 'Yes'. Obviously, it is not a huge concern but it is a concern in terms of the democratic process.

While I am talking about the consultation process, I want to refer to something that was said earlier by the member for Playford, to which I took objection. He referred to the member for Makin (Trish Draper) not being available to her constituents. I thought I ought to correct that mistake on record by saying that it is quite clear from inquiries that we have made with her office that she has in fact answered every call and letter. She has also invited a range of people to a public meeting at her office. There were 70 people in attendance, and it was standing room only. Everyone who wanted to make a statement did; every question that was asked was addressed, and I think that other new members of Federal Parliament could take some lessons from her. If the member for Playford really wants to persist in making comments about new women members of Parliament, Federal or State, he ought to get his facts right first.

All good legislation requires compromises. This legislation is no different; it will require compromise. I look forward to participating in the Committee stage of this debate.

Mr CONDOUS (Colton): I would like to place on record my support for uniform national gun laws and also my support for the State Police Ministers and the State Police Commissioners who have attempted to make Australia a safer place for all of us to live in. The tragedy of Port Arthur, and I do not think it has been mentioned tonight, is that the gun that was used to kill so many people was stolen from responsible gun owners. They were then killed, the rampage went on and, at the completion of that rampage, the gunman went back to the house where he had killed the original two people and whence he had stolen their firearms and blockaded himself in that home.

The other tragedy of Port Arthur is that it took only one gun to wound 18 million Australians. And wounded we all were. Even those who are sitting in the public gallery would have felt something that Australians have never felt before. We prided ourselves on living in a country where we could walk the streets with little fear. We wondered at the gun

mentality of the United States, the fact that it was reported that in some cities such as New York up to 50 per cent of the community carry a hand gun. It hurt because those of us who have visited Tasmania know it to be one of the most beautiful parts of Australia. I have visited it on two occasions and I intended to visit again in the near future, but I must say that the tragedy that occurred there has made me reluctant even to contemplate another visit because I would like to remember it as it was when I first saw it and not after the tragedy which has changed it.

Let us face it: even the Tasmanian Government felt so strongly about the massacre that it sent its Premier and Minister for Tourism on an Australia-wide tour to attempt to restore some sort of sanity and confidence in the Australian public to visit the Apple Isle. What has happened there will make it difficult for many Australians to contemplate going to Tasmania let alone going back to Port Arthur and reliving the tragedy that we all went through at that time. We must not forget that since Port Arthur there have been other shootings in Australia. There was a drive-by shooting in South Australia, a person was shot with a gun in this State, and there have been a couple of shootings in Victoria, a couple in New South Wales and one in Western Australia.

Had all States followed the South Australian model for firearms licensing, this tragedy may never have happened. It may be that the stringent controls imposed in this State would have made it difficult for arms to be available so easily. The Treasurer went to Canberra only last week to attempt to convince the Prime Minister that he had a solution in respect of crimping which could solve the problems experienced by 90 per cent of shooters.

However, there is another side to this issue, and it relates to the people who use shooting purely and simply for sport and recreation. If shooting was not a sport, it would not be part of the Atlanta Olympic Games. Over the past six weeks or longer, I have interviewed many individuals, couples and groups who have come to my electorate office. Of the 60 groups that I interviewed, I felt comfortable that they were law-abiding citizens who had enjoyed this sport for many years, yet they are being focused on as part of the cause of the dilemma in Tasmania. I believe that is totally unfair. Some of the people I interviewed were husbands and wives who for 20 years have indulged in duck shooting. They do it as a recreational sport which enables them to put away enough ducks to last them for 12 months.

Others, especially members of the ethnic community from Europe, shoot goats and wild pigs, while others are clay shooters, but every one of them is a responsible citizen. Their recreational sport is part of their life. It is no different from asking someone who is committed and dedicated to give up their sport. Imagine if you told the girls of the Australian hockey team that they could not play or golfers that they could not use their golf clubs. That is no different, and I understand that plainly.

I have an obligation to the people living in my electorate to give them some sort of support and not to leave them out in the cold. I gave them a commitment, and they did not ask for any great thing. All they said was, 'If we can get two or three repetitive shots out of our guns, we will be more than happy.' They were not people asking for fully automatic or semiautomatic guns spewing out 20 or 30 rounds a minute. If they miss the target at the first attempt, they simply want a repetitive shot to have a second go. I cannot see anything wrong with that.

The Port Arthur massacre was totally different. The assailant was one in a million, who went out deliberately with premeditated intent to do some harm that day. I believe that I have an obligation to my constituents. I gave my word to the people of my electorate that I would do all I could, and I suggested that I would support an amendment for crimping to allow them to at least be able to have some sort of ability to continue their shooting and their sport. I intend to do that when we vote tonight but, at the same time, once I have shown my support for crimping, I will be recording my support for uniform national gun laws. In all fairness, we should consider those shooters and do something to at least give them some sort of compromise which allows them to continue with their sport.

Mr ATKINSON (Spence): We have heard a great deal of humbug tonight. If one listens to this debate, you would think that Prime Minister Howard's gun summit proposals were in some sort of danger, whereas in fact they are not. It is my job now to add to that humbug because, although I disagree with the Prime Minister's proposals, I am forced by the Caucus into supporting the vast bulk of them.

My mother has always been a Labor supporter and a socialist. She said to me recently that she was disgusted with Australian politics and the Australian people because of the way they have been panicked by the Port Arthur massacre into supporting ill-considered proposals by Prime Minister Howard. The process shows no sign of abating. Prime Minister Howard talks about an \$8 billion or \$10 billion black hole in the Commonwealth budget, but he is just in the process of blowing \$500 million—half a billion dollars—on a buy-back of guns which, in the main, is not necessary.

His policy has been driven by so many microphones being put under his nose after the Port Arthur massacre. He had to come up with a proposal very quickly. He came up with that proposal courtesy of a Canberra bureaucrat known as Mr Darryl Smeaton, who could not get Labor Ministers in the Hawke or Keating Governments to accept his proposals. However, Mr Smeaton was able to offer a panicky John Howard a ready made proposal that Mr Smeaton had been waiting to implement for many years.

Before the Port Arthur massacre, three members of this Parliament worked for many months on proposals to improve South Australia's already pretty good firearms laws. We had the member for Florey, the member for Playford and the Speaker, who are all experienced firearms owners, working on ways to improve South Australia's firearms laws. They were going to come up with some fairly good recommendations, in my opinion, and it is a shame that many of their recommendations have been lost in the panic which has been encouraged by a news media that does not understand firearms at all.

One of the reasons why Prime Minister Howard thinks he can bring in these proposals and make them stick is that he believes he has firearms owners in the Liberal Party's pocket. He assumes that firearms owners, particularly in rural Australia, have always voted for the Liberal Party or the National Party and that they will continue to do so, whatever his firearms proposals. Indeed, Prime Minister Howard recently won a thumping majority on the backs of those firearms owners and he feels that they have nowhere to go. Prime Minister Howard feels that, even if firearms owners form a separate political Party or political Parties, the allocation of preferences between the Labor Party and the non-Labor Party will always come back to the Coalition. His

feeling is that firearms owners have nowhere to go. I am sure that the member for Elder agrees with him judging from his attitude to this topic.

Mr Wade interjecting:

Mr ATKINSON: The member for Elder confirms, by way of interjection, that firearms owners have nowhere to go. In the election for the marginal district of Elder at the next State election, he believes that they have no alternative but to vote for him on a two-Party preferred basis. I hope that firearms owners will prove him wrong, but that remains to be seen.

I should like to express my disappointment with the Prime Minister over his conduct at Sale. I have a lot of time for John Howard. I think that he is the most decent person to lead the Liberal Party since Malcolm Fraser. Prime Minister Howard has many qualities, but his conduct at Sale was cheap. To go to that rally knowing that he would attract an audience of angry firearms owners was a bit of rabble rousing. Then, to wear a bullet-proof vest and have his minders invite the media behind him to take pictures of it so that it could appear on television and in newspapers was further rabble rousing and an insult to firearms owners. I think that Australians ought to be embarrassed about the way we, and the media in particular, has treated firearms owners in the past three months.

It may be that there are a few ratbags, particularly at Gympie in Queensland, who have brought discredit on the heads of firearms owners; but, in my view, they have been unjustly blamed for the Port Arthur massacre. When I was waiting in the 5AA studio a couple of weeks ago for a radio debate, I was watching the *60 Minutes* program of a debate between the Gun Control Coalition and firearms owners. I was surprised to see the faces of the members of the Gun Control Coalition distorted with rage against the firearms owners and, in particular, a sensitive and intelligent person like the Rev. Tim Costello, a Baptist Church minister, carrying on like a rabble rouser on national television over this issue.

Mr Brindal interjecting:

The ACTING SPEAKER (Mr Venning): Order! the member for Unley is out of order.

Mr ATKINSON: That is regrettable, Sir, because he just got his interjection in and that is a terrible thing.

The ACTING SPEAKER: If the member for Spence had not reacted, it would not be in.

Mr ATKINSON: No, Sir. It is the fact that you reacted by calling order that gets the interjection in. I can assure you that is the rule.

The ACTING SPEAKER: I suggest that the member for Spence should return to the debate.

Mr ATKINSON: Yes. I am coming back to some territory that has already been covered, but I confess that I am just as much a humbug as all the Government members who have spoken, because in the final analysis—

Mr Brindal: No, you are not. You are the worst.

The ACTING SPEAKER: The member for Unley is out of order. I shall name him the next time.

An honourable member: Name him now—

Mr ATKINSON: In the final analysis, I will be—

Members interjecting:

The ACTING SPEAKER: Order! The House will come to order. The member for Spence.

Mr ATKINSON: In the final analysis, I will be roped in. The Prime Minister says that he has 80 per cent to 90 per cent support in the opinion polls for his gun control proposals. I

suppose he has if the question is: do you want national gun laws in Australia? But the vast majority of Australians do not know anything about firearms; they have had no connection with firearms. And so, they do not exactly express an informed opinion when they are asked whether they want national gun control laws. The Prime Minister has managed to get the obedience of the States by threatening to hold a referendum under section 128 of the Commonwealth Constitution to make firearms a head of Commonwealth power, and the States have given in one by one. I think they are very unwise to do that—

Mr Brindal interjecting:

Mr ATKINSON: I did ring the Bob Francis program earlier this evening. Unfortunately, at 11 o'clock 5AA switched over to the Olympics, so I had to do my spiel on radio 5DN—and I am sorry to digress, Sir. It seems to me that the threat of a referendum is a hollow one—and I will tell members why it is a hollow one. There was another referendum to increase Commonwealth power in Australia's history that had just as much support in the opinion polls leading up to the referendum as the Howard proposals have, and that was for the Bill to dissolve the Communist Party. That had overwhelming support in the opinion polls but, on the day, we all know it went down. I suggest that is what would happen to the Prime Minister's proposal for Commonwealth control over guns, because the Australian people are rightly suspicious of any further centralisation of power in the Commonwealth constitution. The second reason why the referendum would be unlikely to be carried—

Mr Clarke interjecting:

The ACTING SPEAKER: Order! The member for Spence will remain on his feet.

Mr ATKINSON: The second reason is that in order to carry the referendum the Prime Minister would have to play on the public's ignorance of the details of firearms; that is, he would have to go to the referendum calling, as the Gun Control Coalition wants him to, for a total ban on the private ownership of firearms in Australia. The Prime Minister would have to simplify the referendum to get it carried by the Australian people. If the Prime Minister were to do that, he would rip the Liberal Party and the National Party asunder. He would not have the guts to do it. So, the referendum threat is a hollow one and it is disappointing that the States have given into it so quickly.

Personally, I support the crimping of semiautomatic shotguns, semiautomatic .22s and pump-action shotguns. It would be sensible to have one cartridge in the barrel and two in the magazine, and there is nothing particularly objectionable about that. For the Prime Minister to veto it is just a political stunt. He rejected the proposal for crimping not on merits, but in order to enhance his own leadership.

Tonight we will vote to uphold the Prime Minister's plan and we will spend more than \$500 million of taxpayers' money buying back weapons which do not need to be bought back and which could be adapted to a comparatively harmless purpose. But, no, I am just as bad as other members in this House, because I have been caucussed in, as I am a member of the Parliamentary Labor Party, to supporting the Labor Party's position and I will go along with it, although I am not particularly proud of it. I was elected to my State district as a member of the Parliamentary Labor Party and that is the way, for better or worse, I will be staying.

Mr WADE (Elder): I will not take too much of the time of the House, because what has been said about the concerns

regarding this Bill has been adequately said by members on both sides of the House. I support this Bill, because I am an Australian who is appalled at the devastating emotional, physical and spiritual chaos that results from uncontrolled access to weapons in States other than South Australia.

Mr Atkinson interjecting:

Mr WADE: Obviously, the member for Spence is not appalled at this kind of devastation. The honourable member just said to spare them and I do spare him that. Perhaps he needs to understand what the word 'empathy' means.

My colleagues have rightfully expressed their concerns about aspects of this Bill. I cannot disagree with those concerns. The thrust of the legislation was conceived and born in an atmosphere of heightened emotions: there is no doubt about that. The Prime Minister intervened to try to bring some modicum of national consensus on gun laws aimed at those States that have little or no effective regulation—not so South Australia. Our controls were there, but they are not perfect. How can any control mechanism be perfect in an imperfect world—the world we have with its hates, its vendettas and sometimes its gross social injustices?

An honourable member interjecting:

Mr WADE: It is indeed. Our controls are not perfect, and we in this State had just completed, through consultation, cooperation and consensus, a review of our gun laws that would tighten up areas that were of concern to us all. A few weeks later we were faced with the Port Arthur massacre, and since then we have found ourselves on a roller coaster of public emotion, sentiment and outrage which to this day has not diminished. Whether we like it or not, the Prime Minister took the lead in a direction that the States in a unified fashion should have taken years ago but refused to take.

Mr Brindal: We led the way.

The ACTING SPEAKER: Order!

Mr WADE: In a unified fashion, I remind my colleague. The States formed the Commonwealth to do what the Commonwealth just did: look after the common wealth and the common good of the Australian people. That is something the States in a unified manner have failed to do in relation to gun control. I am speaking not of South Australia but of the other States.

Mr Quirke interjecting:

The ACTING SPEAKER: Order! The member for Playford has made his speech.

Mr WADE: I thank the member for Playford. After spending three and a half or four years in the Reserves, I know which end goes 'bang'.

Members interjecting:

The ACTING SPEAKER: Order! The House will come to order. The member for Spence is out of order.

Mr WADE: The member for Spence continually reminds us that it is but a small step between buffoon and barrister. What is the good of strong South Australian laws if I can mail order to Queensland for a weapon that is illegal in South Australia and have it sent back in a plain brown parcel? What good are our laws for gun registration when New South Wales has no such requirement? What good are our laws when the guns we ban here are freely available in Tasmania?

Our borders are lines on maps and on maps only. We travel freely between States and I would like it to stay that way. One would have thought that the States could agree on uniform laws years ago after West Pymble in New South Wales, Hoddle Street in Victoria, Canley Vale in New South Wales, Queen Street in Victoria, Patterson Lakes, Evandale, Surrey Hills, Burwood in Victoria, Hanging Rock,

Springvale, Crescent Head or, in January 1996, Hillcrest in Queensland, where six people were massacred by a gunman. They were part of the 26 massacres that have occurred in this country over the past nine years. They involved 90 people, not including the Port Arthur massacre.

The States have had an opportunity over the years to get together to consult and come to an agreement in a uniform fashion for uniform laws. We complain about the lack of consultation, yet the States have been consulting with each other on inform gun controls for years, and where has it got us? It has got us more debt, more pain more sorrow and more massacres. We in Australia average three massacres per year with, on average, four victims per massacre. We have had two massacres so far in 1996.

Statistics tell us that there will be a third, but not in South Australia. Our last gun massacre was in 1987, and members of this Chamber will recall that. It was at Winkie in South Australia where a man with a pump action shotgun took the lives of three people. The chances are, based on the statistics, that the next massacre will happen in Queensland or New South Wales. Regardless of my concerns about this Bill—and I do have concerns about the Bill which have been amply stated by my colleagues—I have another concern. I believe that we face probably the gravest threat to our State's autonomy. Port Arthur lit a fuse that will burn away our rights as a self governing State if we fail to introduce a nationally uniform State-based law on gun control. If we fail to do our part in this uniform approach and if we fail the Australian people, we will fail our State and the people of South Australia, because we will be showing the Australian people and the Commonwealth that we are incapable of looking at and looking after the common good of all Australians.

What catastrophe of human misery do we need to have occur in this country before we individual States can get together and agree upon a common approach to a common Australian problem? The States berate the Commonwealth for its continuing interference in our affairs but, if as a State we are not a willing partner in putting our Australian house in order, we can expect the fuse of centralism to burn brighter—and with just cause in the eyes of the Australian people. I support this Bill, because I support our State's sovereignty and our right to be the architects of our own destiny. To do otherwise is to invite the Commonwealth further to erode our autonomy on the basis that even in the most dire circumstances we cannot in concert with other States work together for the common good of all.

I think it was Winston Churchill who, during the dark days of the Second World War, when asked why he was certain the Allies would eventually triumph, said, 'Because I read history.' Our present situation reminds me of the ancient Greek city states and how they existed at that time. When they united for the common good, they withstood the greatest empire of the ancient world, namely, Persia.

Mr Cummins interjecting:

Mr WADE: Xerxes, followed by Artaxerxes. But, when they fell upon each other—

Mr Cummins interjecting:

Mr WADE: The member for Unley would like me to go through the battles of Thermopylae, Marathon and Salamis.

The ACTING SPEAKER: The honourable member will stay on the topic of his speech.

Mr WADE: Thank you, Sir, for pulling me into line. I got carried away with my ancient history lesson. When they fell upon each other and would not recognise the common good,

they fell to a centralist regime, namely, that of Philip of Macedon. We are under a baptism of fire which I believe will test our mettle and resolve as a State and which will either strengthen us or splinter us into a thousand pieces.

I abhor the arbitrary methods employed in forming this legislation. I denounce those who polarised the issue and made it worse for all, in particular our law-abiding gun owners. However, I will not be a party to this State being the weak link in a national consensus on gun control that will help to protect our citizens both in this State and while they are interstate. The shooters in this State have been given a raw deal; there is no question of that. It would have been a far worse deal but for the efforts of our Treasurer and Police Minister, who has managed to change aspects of the Federal position for the benefit of our shooters in this State.

If I were a cynical person, which I am not, I could come to the conclusion that the terms put down by Canberra were designed to splinter the States and to open the door for the Commonwealth to further erode the State's powers to the detriment of all South Australians. I remind my colleagues that, if they want to support their State and show all Australians that we can take the punches that are meted out to us without faltering, that we can stand tall on this, they must support this Bill, warts and all.

Mr De LAINE (Price): I broadly support the legislation but I will also support some amendments that will be fair to all members of the community. I am a former competitive shooter and reluctantly gave the sport away many years ago in favour of my No. 1 love, which was cycling. There was just not enough time to follow both pursuits. In recent years, I have had the pleasure of being invited to the Dean rifle range to help present the trophies for the Queen's Shoot, and I have thoroughly enjoyed that small involvement with the Rifle Association.

The current legislation, which was introduced several years ago by the former Labor Government as a result of the bipartisan support which emanated from a select committee of this House into the issue of gun control, is very good. Unfortunately, as other members have said, the tragic massacre at Port Arthur has caused the media to unfairly stir up the whole Australian community with a very vocal minority of gun owners versus the quiet majority who want guns banned entirely. The ALP and I believe that, with a sensible approach on the question of gun control, most people's views and interests can be taken into account and protected.

I have had a lot of contact with people from the community, mostly gun owners and shooters, in my electorate office, and I should like to thank them for their polite approach to me. I have had a ratbag now and again but most of them have been very polite and have come up with constructive views and information on the issue. One particular constituent, who was fairly obnoxious, rang me and insisted that, as his local member, I should support a total ban on guns. I listened to him for a while and then decided to go on the attack. I told him that I would support a total ban on guns but that I would also support a total ban on alcohol, tobacco, drugs and motor vehicles. There was silence for a while until he said, 'That is stupid.' I said that it was not because all those other things kill and injure far more people than guns do.

To put the problem into context, I point out that there are an estimated 4 million guns in the community and, if it was a real and serious problem, shootings would occur every hour

of every day, but that does not happen. That proves that the vast majority of gun owners and users are honest, law-abiding and, above all, responsible people, and they should be treated and respected as such. It is possible to legislate to give reasonable protection to the broad community and at the same time to provide a legislative framework that will allow responsible, dedicated people who wish to own and use a firearm, whether it be for hunting, sports shooting, competitive shooting or for the collector who enjoys owning and handling a quality firearm, to continue to enjoy their pastime.

I hope that, with some amendments, this legislation will be successful in providing reasonable satisfaction to people who do not own guns and may be quite frightened of them and to people who enjoy owning a firearm and using it in a way that gives that person pleasure and satisfaction. People are different and have different interests in life and that is a healthy attitude to have. Some people enjoy owning and driving certain types of motor vehicles; others like collecting and using cameras; others play sport; some like gardening; some collect stamps; and some enjoy owning and using firearms. Mr Speaker, I also recognise your situation and the legitimate need of farmers who require firearms for control of vermin on their farms. I believe that there is room for us all in this world if we are sensible and are prepared to act responsibly. This legislation with its safeguards provides a balance which will satisfy most people. We all know that we cannot satisfy all people all the time, but I think that this legislation will satisfy most people in the community.

Some years ago, when the Hon. Kym Mayes was the Minister for Police and I was chairman of the legislative committee, we journeyed to Melbourne to attend a police conference at which all State Police Ministers, the Federal Minister and the New Zealand Minister were present. The Hon. Kym Mayes suggested at that conference the need for a national register for people deemed to be unsuitable to possess firearms. That issue was taken up, I believe, by the New Zealand Minister but not by other Ministers around Australia. Now, some years down the track we are looking at it.

I must refer to a comment made by the member for Mawson. The honourable member, for whom I have a fairly high regard, nevertheless never ceases to amaze me. He made the point in his contribution that South Australia's gun legislation is very good—in fact, the best in Australia. He is correct in that assertion. Later in his contribution, he intimated that the Labor Party in South Australia does not have a good record when it comes to gun legislation. The legislation—which the member for Mawson says is so good—was put in place by the previous Labor Government so the honourable member makes more sense when he keeps his mouth shut.

I support the legislation in general terms, but will be interested to hear the answers given by the Minister to questions asked during the Committee stage.

Mr EVANS (Davenport): The one lesson that State Parliaments around Australia can learn from this debate, since the massacre happened in Tasmania, is the abuse of Executive power. Students of politics will no doubt study the process that is obvious to us all: Executive power has used the media to abuse the system. The lack of consultation which has occurred has been outrageous and it is obvious to me, although it will not be publicly admitted, that a gun has been held at the State's head; the State gets a cut in its grants (the money to the States) or we have a referendum on the issue.

If we do not want that we simply vote the legislation through. One of the issues State Parliaments must address in the future is the abuse of Executive power in Canberra.

I want to touch on a few issues raised earlier by the member for Taylor. She was critical of the Premier for not being in the Chamber during the debate on this issue. The member for Taylor may not be aware, although if she had done any research on the topic she would have been aware, that in 1992 when the Labor Party finally moved the firearms legislation, the then member for Taylor, the then Premier Lynn Arnold, also was not in the Chamber during the debate on that firearms legislation. He was not in the Chamber at any stage; he did not contribute.

Mr Atkinson interjecting:

The SPEAKER: Order! The honourable member is out of order.

Mr EVANS: I am saying that the standard was set by the previous Labor Government and the standard has been met. The criticism simply does not stand up. The member for Taylor also said that Liberal politicians may be distributing—

Mr Foley interjecting:

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

Mr EVANS:—their speech to their electorates and there was somehow some insincerity about that because they were sure that Howard would get his legislation through. Why is Howard so confident that he will get his legislation through? Quite simply, it is because of the example given to us tonight by the member for Spence. The Federal Leader of the Labor Party, the Hon. Kym Beazley, is on record as saying that he will support a referendum. Tonight, the member for Spence said, 'Even though I totally disagree with the legislation, I have been put in my box by the Labor Party. I will not step out of the box put over me by the Labor Party. I have been caucussed into a position I do not want.'

Mr Atkinson interjecting:

Mr EVANS: And he had his say. What that means is that every Labor Party member in Australia has been boxed into the referendum by Beazley. So, Howard is confident that the Federal Labor Party, both in the Lower House and the Upper House, will support a referendum. That has been proven by the member for Spence tonight. If members want more proof of why Howard should be confident, they should look at the Senate. In the Senate you have the Democrats, who are the Left of the Left of the Left. Would the people involved in firearms really want to entrust their firearms future to Cheryl Kernot and the Left of the Left of the Democrats? I doubt it. Maybe they would rely on Bob Brown and the Greens. Maybe he would stand up and back them all the way to the bank. I doubt it.

Or maybe the Greens from Western Australia would back the firearms group. I doubt it. I think John Howard has every reason in the world to be reasonably confident that, even without National Party support—and I am not saying that the National Party does not support him, but let us say that the member for Spence for the first time in three years is actually right and the National Party does not support Howard—he has the numbers to get the referendum through. So, I think that Howard should have every confidence in getting a referendum through. Those who think that is wrong should simply do the numbers, because they add up.

The member for Price noted earlier the sensational job the previous Labor Government did in bringing in firearms legislation. The firearms legislation of the previous Labor Government was brought in in 1992 and proclaimed in March

1993. What the honourable member forgot to say was that on two previous occasions, in 1986 and 1988, the Labor Government tried to bring in firearms legislation and did not get it proclaimed. So, this sensational job on firearms legislation took nigh on seven years to bring to fruition. If members opposite are going to accuse Liberal Party members of being insincere in their arguments and distributing speeches in favour of the firearms groups, let us have some speeches distributed to the people who are asking for stricter gun control to say that the Labor Party is in favour but, when it was in Government, it took it seven years to introduce such legislation, even though it had control of the Lower House and the Democrats would support it in the Upper House. Let us distribute that speech and see how sincere we are then.

But the absolute beauty about the Labor Party is the hidden agenda. If we go back to the *Hansard* of 24 November 1992, a question was raised by the member for Newland to the then member for Unley (Hon Kym Mayes). The member for Newland raised the point that the Commonwealth Department of Employment, Education and Training published a career information paper entitled 'The 1992 job guide for South Australia.' If we look under the section for gunsmith, which is on page 107 of that document, the details attached to that profession state:

Restriction on gun ownership in the future is likely to impact most upon the demand for this occupation. It is expected that private gun ownership will cease within 10 years.

That was an official Federal Labor Party document at the time, and it was confirmed. So, those involved in firearms sports or the firearms industry know very well where the Labor Party is coming from. It has been on its agenda for years. It is bureaucracy driven.

Members interjecting:

The ACTING SPEAKER (Mr Venning): Order! The House will come to order.

Mr EVANS: The point I make is that if Labor Party members are going to criticise members of the Liberal Party for supposedly being insincere, which I dispute, let us look at all their insincerity, their lack of performance and their lack of courage to go out there and enforce their policy when they had the opportunity. It just so happens that I do not necessarily support the policy put out by members opposite, but the fact remains that they had the opportunity but they did not have the guts to proceed with it.

Mr Clarke interjecting:

The ACTING SPEAKER: The member for Ross Smith will come to order.

Mr Clarke interjecting:

The ACTING SPEAKER: The member for Ross Smith will come to order. He has already been warned twice today.

Mr EVANS: I now wish to take up some points that were raised earlier by the member for Morphett. I agree with him that the media in Australia have portrayed responsible shooters as being a quite irresponsible group, and I think that that is quite unfortunate. I think that we should analyse the role of the media in Australia and in this debate, although I will not give the media the courtesy of calling it a debate because a debate needs research, and there is no doubt that the media have not researched this issue. These days the media just wait for a press release to come off the fax and basically print the jargon. If they had researched this matter, they would have realised that the call for national gun laws has been going on for years.

In fact, when the Federal Labor Government was in office there was a 1987 recommendation by the Federal Bureau of

Criminology that there should be national gun laws. That point was taken up by even very conservative rural based organisations, such as Apex, which, in 1991, at its national convention in Perth, moved a motion and then put through its organisation that it would like national uniform gun laws—and it had four basic reasons for that move: it thought that the current laws did not work; that the laws needed to be uniform to be effective; if they were effective they would therefore reduce violence; and they allowed responsible people the sensible use of guns. It also argued that there should be consultation.

In my view, because of the way Howard has done this, we have had no effective consultation. What happened? Little old Apex, the national rural organisation, wrote to the Attorneys-General—Labor Attorneys-General at the time, both federally and State—asking for some consensus, consultation and a national summit on uniform gun laws; not necessarily to ban them but to achieve uniform gun laws. However, there was no action by any Labor Government or any Government at the time. Then what happened, regrettably, is that people were killed in Tasmania. The national politicians and the media then grabbed the stage—

Mr Foley interjecting:

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

Mr EVANS: He may well be the Prime Minister, but that does not mean that I agree with him on this issue.

Mr Foley interjecting:

Mr EVANS: The member for Hart must understand that one key point separates us: I can stand here tonight and quite honestly say that I do not agree with my Prime Minister, and I am quite happy, if the need arises, to vote against my Prime Minister on certain issues. But we know tonight—because the member for Spence illustrated it—that even the member for Hart, in all his sincerity, is boxed into the ALP pledge that he will not vote against his Leader. He criticises me because my Federal Leader has made a decision, but at least the people know my approach as an individual and that I can vote against my Party, and I have done that at least twice in this Parliament on State issues. I note that the member for Hart has never had the courage to vote against his Party, so he should not sit there and criticise people who have in the past exercised their individual right to cross the floor when he does not have the courage to do it—

Members interjecting:

The ACTING SPEAKER: Order!

Mr EVANS: I now want to address some of the concerns that I have with the legislation. I did have some concerns about the crimping issue, and I was quite happy to support crimping if it was irreversible. However, it is clear now that it is not irreversible.

Mr Atkinson interjecting:

Mr EVANS: Hang on; I will explain my view. It is clear that it is not irreversible, and I will explain why I will not support it in a moment. I think that the collectors have had a rough deal under the draft legislation, and I understand that amendments are coming forward to make the legislation more user friendly for collectors, and I will be supporting those amendments. I also have a problem with the compensation package. I disagree with the principle of a Government taking away a person's asset and their not having a right of appeal: I disagree with that as a principle in law. I understand that the Labor Party has an amendment, which I will be supporting (the member for Hart may be interested to know), to offer a mechanism for a right of appeal. I believe in principle in law

that a Government, a State, should not take away someone's asset and nominate its value without a right of appeal. So, I will be supporting that amendment.

I also take up the good point made by the member for Kaurna in relation to compensation for unregistered guns. If the Government is serious about trying to get the numbers of guns out of the community, then surely the compensation must relate to those unregistered guns. The members for Mitchell and Taylor also said that. So, if the Government and the Parliament are serious about getting the guns out of the community, if that is the wish, then compensation should also apply to unregistered guns. If that was in the amendment I would support that also.

The reason I will not support crimping is quite simply that I believe that Howard will call on the referendum. Others have a different view, but that is my view, because I think it will work as follows. I may not be a political giant but I think I have a reasonable grasp of what the media might do with this. If Howard wanted to call on a referendum, what the media would do—and given that the major media have backed him to the hilt on this—is drag out every photo, every video, every newspaper article of any poor person that happened to be involved in a gun incident, regardless of how that would affect the family. That would never worry the media, they would just drag it out and they would run it night and day on radio through talkback. They would run it night and day in newspapers and run it night and day on television.

I believe in my heart that Australia is basically an urbanised society. These days there are many more people living in the city than in the country. Most people do not grow up using a gun and do not understand firearms. That is unfortunate in the context of this debate. But the political reality is that if you throw Howard the challenge of a referendum the media will back him and the urban people in Australia I believe will actually give the responsible firearms user a far rougher deal than we could possibly negotiate through the Parliament. That is my political belief. If we were in a perfect world I would not have a problem with the crimping concept, but the reality is that if you hand Howard that baton he will absolutely destroy what right actually still remains through our legislation with the firearms group.

So my political nose tells me, and I know others will disagree with me, that, given the numbers in the Federal Parliament, the Senate is absolutely all the way of a referendum and all the way of a gun ban. Labor and Liberal combined in the Lower House federally can certainly out-vote the Nationals if that was needed to get the referendum through. There is no doubt in my mind that the referendum, with the media's support, would absolutely destroy it. My view is, like the member for Morphett, that the best result that this State's legislative House can negotiate on this legislation is to take whatever action we can to keep it here and negotiate through the best piece of legislation, without giving Howard a baton to belt us over the head with.

I accept, and I think most of us understand, that this legislation will not solve the problem. There will no doubt be another incident with a gun. This legislation I believe will not solve that. But Howard has put us in a position where we need to negotiate through it regardless of that. I believe that a black market will develop quite strongly out of this. What this Parliament must start thinking about now and what the people of Australia must start thinking about now, and certainly those in the firearms industry who want to further protect their sport need to start thinking about now, is what is going to happen next time there is a gun incident, what

action is going to be taken and how. That is a concern that needs to be addressed, and some thought needs to go into that between now and whenever that incident might be.

Mr FOLEY (Hart): I would like to make a brief contribution tonight. Much has been said tonight, over lengthy debate, about the issues leading up to where we are here today in South Australia and indeed where we are at a national level. The issues of the terrible massacre in Tasmania have been well canvassed here tonight and I do not need to go over that. However, I will make some comment on what I have observed tonight which I think is extremely worthy of comment. We have sat here through many hours of long, very important and necessary debate, but what have we witnessed? We have witnessed Liberal member after Liberal member rise to their feet and be highly critical of their Prime Minister, the very Prime Minister who on other issues they are the first to stand next to, the first to champion, the first to want to be associated with. But they are dropping the Liberal Prime Minister of this nation like a hot potato on this issue.

The reasons why we have reached this position are well known and have been well canvassed. The shadow Minister responsible for this issue has more than sufficiently articulated our position, as has our Leader and many other speakers from this side. But what I have witnessed tonight is a Liberal Government that is giving us, perhaps for the very first time, a true picture of what makes up the Liberal Party.

As far as I have witnessed—and this is not a patronising comment, it is what I actually believe—there is one politician opposite who has any credibility on this issue, and that is the Deputy Leader of the Government, who has been given the responsibility of having to manage this Bill through this House. He has had to sit there and listen to member after member criticise this law and all involved with this law, while his very own Leader has slunk off into his car and gone home.

Members interjecting:

Mr FOLEY: Notwithstanding the comments of the member for Davenport, the gun law of 1992 is not the gun law of 1996. The Deputy Premier has said in this House tonight that this is among the most important legislation that we have witnessed for many years, if not longer. The Premier of this State has chosen to show no leadership; the Premier of this State has shown no strength; the Premier of this State has shown no fortitude—

Mr BASS: On a point of order, Mr Speaker—

Mr FOLEY: —the Premier of this State is indeed—

The ACTING SPEAKER: Order! There is a point of order. The honourable member will resume his seat.

Mr BASS: Could I ask what relevance these comments have to the debate?

The ACTING SPEAKER: There is a point of order. I would remind the honourable member to get back to the point. I was not going to ask him straight away, but I remind the honourable member to get back to the subject.

Mr FOLEY: I ask that the tolerance shown to other members be shown to me.

Mr Brindal interjecting:

Mr FOLEY: He is in this House, and the honourable member knows the definition of a member being in this House.

Members interjecting:

The ACTING SPEAKER: Order! The House will come to order.

An honourable member interjecting:

The ACTING SPEAKER: The honourable member is out of order.

Mr FOLEY: This is not a script: this is a law that was decided upon primarily by the Prime Minister of this nation, a person whom members opposite are so ready to put up as a great politician, a great leader, when it suits them. But as each and every member opposite, for whatever reason, feels a need to dissociate themselves from that Prime Minister, they are showing it. I find it extraordinary. What is actually going on with the Government? Why is it—

Members interjecting:

The ACTING SPEAKER: Order!

Mr FOLEY: Why is it that certain members of the Liberal Party have already indicated their intention to support a particular amendment tonight on crimping? Many of those members who have advocated that position are well-known factional supporters of the Premier. Is this an exercise in this Government, because it may believe, rightly or wrongly, that the Labor Party will adopt a certain position, that it has the luxury that certain of its members can have two bob each way, that is, they can offer something to the gun constituencies within their electorate with the luxury that the legislation will pass and that certain amendments will be defeated? That is what I consider to be very much the plan in this House tonight: that sufficient numbers of this Government, in a pre-ordained plan, will be able to position themselves to offer something to the gun constituencies in their electorate without fear of this legislation failing and without fear of amendments being carried.

Why else would some of the most senior supporters of this State's Premier have already flagged tonight their intention to oppose the very law that this Premier and his Deputy Premier have sponsored in this Parliament? There is no doubt in my mind that this is very clever politics. It is very dangerous politics, but it is very clever politics.

Members interjecting:

The ACTING SPEAKER: Order!

Mr FOLEY: The members of the Liberal Party in this State, when put under pressure and put into a position where they are forced into making a very hard decision, have shown what strong politicians they are. Be it the member for Mawson, the member for Florey, the member for Coles or the member for Hartley, when members opposite come under pressure—

Members interjecting:

The ACTING SPEAKER: Order! The member for Florey is out of order.

Mr FOLEY:—their political survival is more important than what their Federal Leader, the Premier and Deputy Premier is demanding of them. They sacrifice that for their own self survival. That is a very dangerous precedent and, quite frankly, a very dishonest position. What members opposite are trying to do—

Mr Scalzi interjecting:

Mr FOLEY: If I have said something wrong about the member for Hartley, I withdraw my comments. If he was not one, I apologise, if that is the case—one of very few. All of us are in this predicament: all of us are in a position of dealing with a high degree of responsibility—

Mr BASS: Mr Acting Speaker, I rise on a point of order. Once again the member for Hart's speech is irrelevant. The honourable member is talking about the Liberal Party, not about this legislation. If the honourable member has nothing to contribute he should sit down.

The ACTING SPEAKER: That was a point of order, but the honourable member has brought the debate back to the point. A minute ago I would have agreed with the member for Florey. I remind the honourable member for Hart to keep to the subject.

Mr FOLEY: Thank you, Mr Acting Speaker. What we have witnessed tonight has been very obvious. Some members think they are clever but really it is extremely obvious. At the end of the day some members opposite will have to deal with that. The member for Florey keeps talking about relevance—

Mr Bass interjecting:

The ACTING SPEAKER: Order! The member for Florey is out of order.

Mr FOLEY: I will give the member for Florey relevance. The Deputy Premier referred this Parliament earlier tonight to the very important significance of this legislation. Other members and I will have plenty of opportunity during the Committee stage to take up particular issues on this legislation.

Mr Bass interjecting:

The ACTING SPEAKER: Order! The member for Florey is out of order.

Mr FOLEY: It is not that but the fact that some politicians in this Parliament are prepared to take responsibility. We are prepared to make the hard decisions and do what has to be done. Members have shown—

Members interjecting:

The ACTING SPEAKER: Order! The member for Elder is out of order.

Mr FOLEY:—a damned sight greater strength of character than the absolute debacle—

Mrs Rosenberg interjecting:

The ACTING SPEAKER: Order! The member for Kaurua is out of order.

Mr FOLEY:—that the Liberal Government has demonstrated here tonight. Frankly, if we had a Premier of this State who had a degree of strength and who was prepared to show leadership, he would not have put here his Deputy Leader, who has grown in my eyes—

Members interjecting:

The ACTING SPEAKER: Order! I suggest that the House come to order. It is very late at night and we wish to get through this debate. The House will come to order, and the honourable member will be heard.

Mr FOLEY: Thank you for your protection, Sir. I am making the point that every Premier of every State has taken a degree of national leadership on this issue. We have seen Rob Borbidge from Queensland; Bob Carr I understand made significant contributions to the debate in the New South Wales Parliament, the first State to do it; there is no doubt that Richard Court will make his views known in Western Australia; in Tasmania, Premier Rundle has made the full running on this issue; Jeff Kennett has made his views known; but our Premier is silent.

Members interjecting:

The ACTING SPEAKER: Order!

Mr FOLEY: It is not a question of what Lynn Arnold did in 1992; the gun law of 1996 is what I am dealing with—

Members interjecting:

The ACTING SPEAKER: Order! The member for Newland is out of order.

Mr FOLEY:—and the gun law of 1996 is far more significant than the gun law of 1992 as a national policy issue. Why has the Premier of this State refused to lead and

enter this debate? It is because he has yet again shown that he is part of a conspiracy to ensure that sufficient members—

Mr BASS: I rise on a point of order, Mr Acting Speaker. Yet again I ask about the relevance to this legislation of the member for Hart's contribution. He is criticising the Premier and there is nothing in this legislation about the Premier.

The ACTING SPEAKER: Order! I have sought advice, and there is nothing different in this debate than that which we have had earlier in the evening. I remind the honourable member to return to the debate, but he is reflecting on the debate in this House this evening. The member for Hart.

Mr FOLEY: Thank you, Sir. Aren't they sensitive? They cannot cop that criticism.

Mrs Kotz interjecting:

Mr FOLEY: It is not being dishonest. How else can you describe a situation where Liberal member after Liberal member rises to his or her feet criticising John Howard and, by implication—

Members interjecting:

The ACTING SPEAKER: Order!

Mr FOLEY:—criticises the Premier of this State?

Members interjecting:

Mr FOLEY: I am sorry: most members.

Members interjecting:

The ACTING SPEAKER: Order! The House will come to order. I will warn the next person who interjects.

Mr FOLEY: I retract any reflection on the member for Mitchell, because he did give a speech in support of his Prime Minister. What other reaction would you have had, had we in a reverse position been up here criticising Prime Minister Keating or Hawke? What would you have done? You have deserted the Liberal Party tonight and you have deserted your Prime Minister. Most members have deserted your Deputy Leader and left him to hang out and deal with this legislation. Dean Brown has walked from this Parliament and refused to participate—I dare say that he is the only Leader of a State who has refused to participate in this debate.

Mr Brokenshire interjecting:

Mr FOLEY: The member for Mawson has no credibility. He is one of them. He had his two bob each way.

Mr Brokenshire interjecting:

Mr FOLEY: This is where I make my contribution. I make it in here as you did. You have tried to have two bob each way: you have tried to cater to the gun interests in your electorate, as well as being able to ensure that this legislation passes. You all stand condemned. All those members who have spoken tonight and criticised their Prime Minister and indicated their intention to support crimping—

Members interjecting:

The SPEAKER: Order! The member for Mawson.

Mr FOLEY: You stand condemned of political opportunism and of deserting your own Leader, and I think that is disgraceful. Whatever faction of your Party thinks that they can—

Members interjecting:

The SPEAKER: Order! The member for Unley.

Mr BRINDAL: Mr Speaker, it is a tradition in this House that members must address the Chair. The honourable member opposite is ignoring the Chair and talking across the Chamber to you, and I ask you to rule accordingly.

The SPEAKER: Order! The member for Unley is correct. The hour is late so I suggest that the member for Hart link his remarks to the matter before the Chair.

Mr FOLEY: Thank you very much, Sir. I will conclude with these comments. The conspiracy that has been about

tonight has been obvious. It is disappointing. Barring a handful of them, one by one members opposite have deserted their Prime Minister; they have deserted the law that their Prime Minister and, apparently, their Premier wants passed in this Parliament, and I find that very disappointing. If it has been done because a particular faction of the Liberal Party thinks they can garner financial—

Members interjecting:

The SPEAKER: Order! I suggest that the member for Hart link his remarks to the Bill.

Mr FOLEY: If they think that they can gain factional support by their position on this Bill, so be it; that is their decision. But, quite frankly, I am disgusted that members have chosen to do that. In the end, we have seen the Liberal Party trying to turn this on the Labor Party, trying to box in the Labor Party, trying to put the Labor Party in a position where it is the perpetrator of this measure. It is quite deceitful and quite dishonest, and it should be condemned. In conclusion, I will say this: you have deserted your Deputy Premier tonight.

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: Most members, barring the member for Mitchell, perhaps the member for Hartley and one or two others, have deserted the Deputy Premier of this State tonight, but what is worse is that the Premier has deserted the Deputy Premier. The Premier of this State has shown that he is a coward on this issue. He will not stand up—

The SPEAKER: Order! The member for Florey has a point of order.

Mr BASS: Mr Speaker, again I ask you to rule on relevance.

The SPEAKER: Order! The member for Hart should link his remarks to the matter before the Chair. The member for Hart.

Mr FOLEY: Thank you, Sir. I will conclude by repeating that point. The Premier has shown a lack of judgment in his decision to be the only State Premier to abrogate his responsibility to debate this legislation in Parliament. Quite frankly, that is an act of cowardice.

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: He has refused to front this issue, and I think that this State is poorly served by a Premier who is not prepared to lead a Party in this House, to lead an issue, to lead debate.

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

Mr CLARKE (Deputy Leader of the Opposition): Originally, I did not intend to speak with respect to this Bill because the position of the Labor Party was put quite succinctly by the Leader of the Opposition. However, I also believe that it is incumbent on me, given that some of my constituents have written and spoken to me on the issue of gun control, that I state publicly my view.

I support the legislation. I will support the amendments which the member for Playford will put forward and which I believe will help a number of gun owners in certain ways. It will not cure their problems; it will not take away their angst; it will not take away their anger about this legislation and many of them will feel an injustice has been imposed upon them. But that is how it is. I support the Prime Minister, I support the legislation and I agree with the Deputy Premier that this is the most important piece of legislation that we in

the South Australian Parliament have considered to date this year.

I would like to discuss why we are debating this Bill in the first place. I will not go back to Port Arthur because that has been dealt with adequately by a number of speakers. We are in the position today of passing this legislation on a national basis because the politicians in Queensland, New South Wales and Tasmania have been too spineless and too gutless for too long to pass decent gun law reform. They were too terrorised by the gun lobby in their States to lift a finger on decent national gun law reform.

The gun owners of this State are paying the price for that negligence and they can also thank the gun lobbies in those other States for terrorising their State politicians. Their inertia in bringing forward decent gun legislation is the reason why we are presently facing this legislation. Let us not get away from it. The member for Davenport talked about the alleged inactivity of the former State Labor Government, yet the Deputy Premier has said on past occasions that if the State laws in South Australia on gun legislation had been enacted in other States that would have been sufficient. I believe that he is right.

What did your craven Party do when you were in Opposition? Unlike members of the Labor Party who are prepared to support a Liberal Prime Minister and a Liberal State Government on decent gun law reforms, the members of the Liberal Party when in Opposition were a bunch of craven cowards who fell into line with the gun lobbies in your own State. You did not have the guts to act as a responsible Opposition. We saw the disgusting, craven, gutless manner in which the Liberal Party and the National Party in New South Wales acted during the 1988 State election; how you courted the gun lobby vote in that State to do in Barry Unsworth. We saw the gutless, craven way the National Party behaved in Government in Queensland with respect to the passage of decent legislation.

Had those State Governments—Liberal and Labor—had the guts to bring in gun legislation like we introduced in South Australia, we would not be facing the present situation and gun owners of this State would not be facing the more draconian legislation which is now before us. Just occasionally, a monumental act occurs which creates a momentum for this nation as a whole to drive forward for uniform legislation. In this instance it was Port Arthur and it deals with guns.

Much has been said about the lack of consultation and I agree that there has been a lack of consultation, particularly by the Prime Minister. But I also point out to the House that in so far as this matter is concerned we cannot waste time talking endlessly about achieving national gun law reform. That opportunity was given to the States some time ago. There have been many years when the States of New South Wales, Queensland and Tasmania could have brought their laws up to the standard of South Australia and they were found wanting because they were too gutless.

I am having my two bobs worth. And that is just a matter of fact. We saw in South Australia, as the member for Davenport pointed out, that it took from 1986 to 1993 to get gun legislation through in this State, despite the fact that the Legislative Council would have passed legislation with the support of the Australian Democrats. But because we consulted and because of the effectiveness of the gun lobby, and also because of the cravenness and cowardice of the then Liberal Opposition, which wanted to exploit the issue for purely political purposes, it took that number of years just to

get the current legislation on deck. We must not now let the opportunity pass us by to achieve uniform gun laws.

We cannot have a situation whereby one State has such lax laws that it undermines any decent legislation we have in other States. The Port Arthur tragedy provided the opportunity to forge ahead and do it. And, yes, there are injustices in this legislation for all the law-abiding gun owners in this State, including those constituents of mine, and they are being done in the eye. I am prepared to say that up front and publicly, and not try to have two bob each way, because members of the Liberal Party opposite, who say that they oppose the Prime Minister, oppose this legislation and will move amendments, only have the guts to do it because they know that when they cross the floor to placate their constituents there are enough Liberal Party members and a solid vote from the Labor Party to ensure that this legislation will go through.

If there was any risk that the Government would be defeated on the floor of this House on a vital piece of legislation, every one of those so-called dissenting members of Parliament knows that the Government would be obliged to resign. Those members of the Liberal Party know that, but they are prepared to play to the gallery and say to their rural constituents, 'Look, I'm really on your side.' Well, I do not play that way and I am prepared to say—

Mr BROKENSHIRE: Mr Speaker, I rise on a point of order. The Deputy Leader is talking about playing to the gallery. He knows the Standing Orders and he has not addressed anything through the Chair for something like 14 minutes.

The SPEAKER: Order! If the Chair were to apply that Standing Order to debate, few members would have participated this evening.

Mr CLARKE: I simply point out that at least I am prepared to say here to the gun owners of this State that I support the legislation. I know that they feel aggrieved. I know that for many of them there will be injustice, but that is how it is, because we have to go ahead and get uniform legislation through. We cannot allow the spinelessness of State politicians in the Eastern States, particularly in Queensland, New South Wales and Tasmania, to undermine decent legislation. I would hope that the gun lobby learn a lesson from this; that it is better on a progressive basis to encourage decent laws that protect the rights of gun owners but also protect citizens, as we have progressively done in this State.

If other States had only followed suit, gun owners would not be facing the current situation. At times it is better to agree, rather than to say, 'No, you shall never have reform in this area' and then finally a cataclysmic incident occurs where you are totally overwhelmed by events. You plan for it and you allow decent, sensible legislation to go through and that way, ultimately, your rights will be far better protected.

Lastly, I simply make an appeal—I have not spoken to the Deputy Premier about this for a couple of hours—with regard to the number of amendments which will be debated and which are very important to significant numbers of people, not only gun owners but the community generally. I believe that the public has a right to have this Parliament debate it not at 2 o'clock in the morning (or 2.30 a.m. or whenever we get around to it), and progressively vote on a whole series of amendments through to 5 o'clock or 6 o'clock when we have been up for 24 hours, where this is legislation by exhaustion when mistakes can be made, and where proper explanations and due consideration may not be given to a number of amendments. The Government has the time to have this Bill

dealt with over the next two days and still have it get to the Legislative Council next week and be carried into law before the House rises and goes into recess until the end of September.

As the Deputy Premier has said, this is a very important piece of legislation. It would have been very appropriate for the head of Government in this State to publicly state in this House his position with respect to the legislation, particularly given the unease within his own parliamentary ranks and amongst so many other members of the community and the Liberal Party's natural constituency: it would have been an act of statesmanship but I guess, as always, we will be denied that showmanship on the part of the Premier.

In so far as the Deputy Premier is concerned, I do not often praise him (and I am not really praising him because I find that too difficult) but I give him credit for having to put up with the burden of the carriage of this legislation in the absence of any of his front bench colleagues during the course of this debate, including the absence of his own Premier. At the end of the day, Mr Deputy Premier, we will be voting together as one on the legislation and I trust that you will give very real consideration to the amendments that will be moved by the member for Playford which will assist firearms owners in this State. It will not cure their problems or take away all their anger but it will do something worth while in a number of areas, and it does not detract at all from the thrust of the Police Ministers' meetings on the last two occasions. I support the Bill.

The Hon. S.J. BAKER (Deputy Premier): It has been a long debate—some has been good and some has been indifferent—and it is important that the House express its view on this subject, and it has been expressed very strongly tonight. I will take only a small amount of time. I had made notes on every member's contribution but I do not think that it is appropriate to go back over those contributions. However, we are here because of the Ted Dranes and the gun lobbies of this world. If Port Arthur proves something it is the success that was achieved by the muscle, intimidation and blackmail exerted by a few people in this country to the detriment of the country. It is a shame that legitimate gun owners have had to put up with this because of the actions of a few hard-nosed, hard-headed people who believe that it is anybody's right to get a gun and shoot whatever they see in sight.

I know that they have fought this all the way; they have fought everything else all the way since 1980, and before that South Australia said that it wanted reasonable laws which gave protection to all our citizens so that the people who have guns can use them according to their wishes but within the provinces of the law. However, we have had a lobby in this country which has fiercely defended the right to have automatic, semiautomatic or any gun it wishes. I think that the great shame that the country now has over the events of 28 April is in no small part due to those few individuals.

I know that a number of people, thousands of people, across this country are being dragged along in this debate simply because of a few hard-headed, hard-nosed individuals. We would not be here today had previous attempts to provide reasonable gun laws in this country succeeded. There is a fair chance we would not have had a Port Arthur had it not been for those individuals. As pointed out tonight, the Tasmanias, Queensland and New South Wales of this world, where the gun lobbies exerted enormous influence to the detriment of this country, should never be forgiven. When we reflect on

the outcomes here we should not reflect on the Police Ministers or on the Prime Minister but we should reflect on those people who forced that situation upon this country.

April 28 was a day of both shame and trauma. It was a day of deep regret for the whole of Australia, for the families and the individuals and for everybody concerned and it should never be forgotten, because it is a timely reminder of what can happen anywhere if we do not have sufficient protection. We do not necessarily say it will solve the problems because there will always be someone who in a moment of stress will take the wrong decisions that indeed cause great harm. However, at least if we have reasonable gun laws in this country the probability of that occurring will be decreased. What I wanted to say in this debate was that I am disappointed by a number of the contributions that have been made here tonight; but I have been stimulated by the depth of commitment by individuals, because many have argued for the rights of people, and I am the first one to argue for the rights of people.

The fact that we lost 35 citizens of this country in one event was something that the world has reflected upon and that Australia has reflected upon, and we have seen a number of events unfold as a result of that action. But it went far deeper than that. I want people here to think about how deeply it did go. It was not just that event but the fact that everybody felt, and it was reinforced, that this country had not taken upon itself its responsibilities. I want to talk about women. One of the things being shared with me was the fact that Port Arthur represented far more than the death of 35 people, that it was the destruction of innocence. It was bringing to the fore the fact that no woman (because normally men do not get involved in these things) is safe when there is a person who cannot control their instincts and has a gun available.

A number of women have shared with me their feelings about that day. A number of women also shared with me the issue of domestic violence, when they have been battered and bruised at home, when a wife has said that enough is enough and the male gets out the gun and cleans it in front of them. I want people to actually reflect on the depth of despair that is brought about by irresponsible gun use. It happens to a few, but those few people are worthy of thought. So, it claimed 35 citizens of this country, and it took that event to see the dramatic events unfold in terms of the initiative by the Prime Minister. It should not have been necessary but it became necessary. However, it went far deeper than that and it affected a number of people in very far-reaching ways. It reinforced this issue of power.

As I said, I was very disappointed by a number of contributions in this House tonight, because I think we have forgotten the lessons of Port Arthur and the lesson concerning the responsibility that every citizen has to this country. Whilst people may reflect on where the lines in the sand are being drawn, the fact of life is that everybody recognises that there has to be reform in this country. We cannot allow an event like that to pass and do nothing. I have heard tonight that some people wanted that to happen. They say, 'Let us just take out the semis; let us just take out the top line; let us just take out the Chinese weapons.' It does not stop there, and it is about time we lived up to our responsibility. I think everybody in this country deserves the best they can get from this Parliament.

Members interjecting:

The Hon. S.J. BAKER: Yes, at two o'clock in the morning, they can still expect the best out of this Parliament.

I make it quite clear that the Prime Minister took it upon himself to show the leadership that this country deserves. He showed leadership to the point where he said, 'I am going to succeed, and I am going to succeed to the extent that this country has never seen success. I want some responsibility in relation to gun laws.' As I said, you can work out where you want to draw the line in the sand. I may not have agreed with where the Prime Minister drew that line, but I will uphold his right to stand before the nation and determine that we will have change in this country, and that will protect the legitimate gun owners in this country, the hundreds of thousands of people who go about their pursuits, whether they be the farming community or legitimate sportspeople, because they are the people who do get denigrated in the process. They wear the acrimony of the Port Arthur massacre.

By reforming the law, we give greater comfort to those people who legitimately pursue their interests, who have used their firearms responsibly for the pursuit of their rural produce. So, something important is happening in this Parliament today because, without it, we go back to never knowing whether we have done anything or whether we have even done enough.

With respect to the comments concerning the Premier, Premier Brown has shown extraordinary leadership. He was not on the telephone to John Howard every day during this whole drama for nothing. We faced a press conference together on this issue. The Premier has shown extraordinary leadership, right up front, dealing with the Prime Minister, day after day. That is more than I can say for former Premier Bannon, when the State was sinking in debt with \$3.15 billion wrapped around its neck. In fact, we saw Premier Bannon slinking through the back door saying, 'It was not my fault; it was somebody else's fault.'

Every day the Premier has been on the telephone to the Prime Minister. Do not let me hear the Leader of the Opposition, the Deputy Leader or the member for Hart say he has not shown leadership, because he has done so, like no other Premier. Whilst others have shifted backwards and forwards on the whole issue, our Premier has been right up front with the Prime Minister right the way through this whole drama. He does not have to get out there and shout on the telly and say, 'I have got this position this day and I have this position on some other day.' He has been totally consistent in the way he has dealt with this issue. So nobody can tell me that the Premier of this State has lacked leadership.

In terms of my colleagues, whilst I may disagree with some of their comments tonight, that is life. The fact is that they have stood up here and put a point of view. They have expressed a whole range of feelings associated with this debate, whether it be those of the people who feel traumatised because they feel that they have been enveloped by the Port Arthur massacre, or those who believe they cannot carry on their farming profession, for example, or their legitimate interests because of unfair laws. That has been expressed here tonight, and I defend anyone's right in this Parliament to express their point of view, and I will not have members of the Opposition denigrating that.

As I said, I will be mercifully brief in my response. It has been an important debate. It has had its highs and lows but, importantly, if we do not do something substantial this morning, we will let down South Australia and this country. I thank all members for their comments in the debate.

Bill read a second time.

Mr BASS (Florey): I move:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to the Firearms Consultative Committee.

I move this motion, because I believe it is important that the Firearms Consultative Committee should be increased from the present number of three. The legislation before this House will leave many discussions and decisions to the Registrar of Firearms or his delegate, and the only appeal firearms owners will have is to the consultative committee. Therefore, it must be a committee that represents all facets of the firearms industry. I seek the support of this House to ensure amendments can be made to the applicable sections which have not been addressed in the Firearms (Miscellaneous) Amendment Bill.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

Mr BASS: I move:

Page 1, lines 16 to 22—Leave out paragraph (a).

The words 'action' or 'part of an action' are meaningless and incorporate such a wide range of parts that may have been used or may have many uses with a wide range of other equipment and machinery, yet frequently they are used by firearm owners in one way or another. Under the definition in clause 3, if the Bill is passed in its present form, the police could and indeed should raid a company which stocks split pins, shake-proof locks, washers, case hardened roller pins, small screws and springs. I ask members of this House to think carefully about the list of items which make up the action or part of an action. All of them are everyday items which could be found in any handyman's garage or most mechanical workshops. The police could, if this definition was included, raid any premises in Adelaide that sells washers, springs or split pins and charge them with having part of an action. One can see how stupid this definition is.

An amendment that I will move later provides that the definition of 'receiver' of a firearm means the metal or plastic body or frame of the firearm that is designed to hold the firing mechanism, the loading mechanism, or both, in place but does not include the stock or barrel of the firearm. This amendment will clarify the situation for the benefit of those who do not understand firearms. The receiver is the framework between the stock and the barrel and is the part that holds the action and, by connecting the stock to the one end and barrel to the other, you make the firearm complete. By substituting the word 'receiver' for the words 'action' or 'part of any action', the definition is clarified. The description means that it cannot be mistaken for anything else; it is part of a firearm which is easily identified, because it usually carries the serial number; and without the receiver the action or part of an action is virtually a collection of useless parts.

To use an analogy for those people who do not understand what I am trying to say in relation to a firearm, let us say that, as a result of the tragic death of Ayrton Senna, the world controlling body decided that the Williams Renault racing car or any part thereof was to be banned. Lots of pieces make up the Williams car: there are the wheels, the engine, the brake linings, and the nuts and bolts, but the most important part is the chassis. If you are to ban the car, you do not ban the wheels, because the Benetton and McLaren teams use the same wheels and probably the same brakes, and some of the teams use the same engine. But what makes the Williams F111 racing car unique is the chassis. So, if you ban the chassis, you ban that racing car but you do not hurt the other

racing cars. I say that this is exactly the same. The word 'receiver' clarifies exactly what it is; there is no fear that it will be a nut or bolt that anybody has at home in their garage. It is a defined thing, and I ask members to support the amendment.

Mr QUIRKE: I do not want to take too much time on this. I think the member for Florey has come up with a reasonable set of words to define this problem, and in fact I think that covers a lot of the amendments that will be moved here tonight. I want to get on the record that the word 'action' is widely used. It is an imprecise term and implies the entire mechanism. The receiver is the basic chassis on which all the other parts hang off or into which they are screwed. So, we are more than happy to accept the word 'receiver' as a more precise term. I would hope that this is accepted for the purpose or that, if it is not, when we get down to the end of the corridor, it is part of the legislation at that stage.

The Hon. S.J. BAKER: I am happy to accept the amendment. I was relaxed about using the word 'action'. However, I am convinced by the argument that the receiver is a more appropriate area on which to concentrate control. As the honourable member has pointed out, the action can actually involve a whole range of small parts and it is inappropriate that people should be pursued in perhaps their legitimate use of individual parts which could be collected or accumulated over a period of time but which do not have any relevance to the restructuring of a gun to turn it into a type other than those with which we are dealing. So, the Government is happy to accept the amendment.

Amendment carried.

Mr BASS: I move:

Page 1, after line 24—Insert paragraph as follows:

(ba) by striking out 'and includes primers and propellant' from the definition of 'ammunition' in subsection (1):

It is my contention that ammunition is ammunition, that it is ready to fire and that it can be placed into the gun straight away. The *Book of Rifles* by W.H.B. Smith and Joseph E. Smith, a well-known encyclopaedic reference on firearms and ammunition, states:

Ammunition: the bullet, propellant, igniter, primer and cartridge case required to fire a gun. In modern small arms usage, cartridges. I believe that ammunition is ammunition. It does not include parts that make up the cartridge or the bullet. I understand that the Minister will disagree with me, but I ask him to say why. Then I may well withdraw.

The Hon. S.J. BAKER: We will seek some advice on this amendment. One thing about Acts of Parliament that have stood the test of time is that there was good reason why they were so described in the first place. There might be some other pieces of legislation, such as the Explosives Act, where there is some common definition. On the passage of the Bill between the Houses, we will reflect on the member for Florey's amendment. I do not reject it outright but, because the definition has stood the test of time, I would hate to think that we will miss out on a very important part of this legislation or any control on ammunition by removing these words. However, I give the member for Florey an assurance that I will look at that on the passage of the Bill between the Houses.

Amendment negated.

Mr BASS: I move:

Page 2—

After line 5—Insert paragraph as follows:

(d) muzzle loading firearms.

The amendment refers to muzzle loading firearms. I contend that classes A, B, C and D list firearms by their potency, yet

I do not think that a muzzle loading firearm is a rapid fire firearm. A person who can handle one can get off 14 shots an hour or half an hour, which is fairly rapid, I do not think! Muzzle loading firearms should become paragraph (d) in class A, having been removed from paragraph (a) in class B.

Mr QUIRKE: I spoke to the member for Florey and other representatives during the course of the consultation process last week, and I now ask the Deputy Premier why muzzle loading firearms are categorised in class B. It seems to me that, if the argument is presented in ascending order of fire power, a muzzle loader, which includes flintlocks as well as caplocks, would not get much beyond the .22 bolt action stage. Indeed, some would argue that it is a much less potent piece of fire power than a legitimate shotgun, which is a class A firearm. I am interested to know why this categorisation has taken place with what are either antiques or replicas of antique firearms.

The Hon. S.J. BAKER: The question has been raised with me, and I actually raised it in Canberra when I was in the ministerial group without the technical advisers being present. The technical experts in Canberra had set down the categories. The Attorney-General was advised by the technical expert. That was the only explanation given at the time. It now forms part of the national resolution. Whilst I can appreciate the points being made by members, I can only say that it is part of the consistent definition which is being used across Australia, irrespective of whether people believe it should be in category A or B. Given the way that we are treating categories A and B, it will not make a great deal of difference.

Mrs HALL: I seek information on the muzzle loading firearms section under licence category B. A constituent has requested that I raise the matter with the Minister, and I quote a section of his letter which states:

I again stress that it is most important to clarify in the Act that antiques and obsolete longarms and hand guns are exempted from this Act.

Will this apply to muzzle loading guns which were produced prior to 1900?

The Hon. S.J. BAKER: There is no requirement to register a firearm produced before 1900.

Mr VENNING: One of my constituents has asked why we should categorise muzzle loaders with centre-fire rifles. He also raised a question about Hahndorf hosting a shooting event which is 103 years old: this event will probably be cancelled because of the new legislation. Does the Minister agree with that?

The Hon. S.J. BAKER: I do not know where the member obtained his information. Whether in category A or category B, it is quite irrelevant: the event can go ahead.

Amendment negated.

Mr ANDREW: I move:

Page 2—

After line 5—Insert paragraph as follows:

(d) self-loading and pump action shotguns having a magazine capacity of two rounds or less.

Line 18—After 'less' insert '(not being class A firearms)'. Line 20—After 'less' insert '(not being class A firearms)'.

These amendments are to allow for semiautomatic shotguns and pump action shotguns with an approved crimped magazine to be a class A firearm. While some gun owners still do not believe that crimping of shotguns is an adequate compromise, a large percentage of those gun owners and local organisations who have made representations to me certainly agree with me that crimping is a reasonable, fair and practical compromise.

I put on the record that, should the Prime Minister decide to seek a Federal referendum in relation to firearm control and so obtain Federal powers with respect to firearm control (I do not doubt his resolve in this regard, and it is his prerogative), gun owners are likely to have even greater restrictions and controls placed on them. Many people who have made representations to me certainly acknowledge that this is a real possibility. Notwithstanding this, I do not believe that effective crimping in itself would be sufficient cause to warrant the holding of a referendum. I do believe for a number of reasons that the crimping option is fair and reasonable.

First, I believe that a satisfactory crimping procedure is not inconsistent with the intent and principles of the stricter gun control proposals agreed to on 10 May by the Police Ministers and led by the Prime Minister. The Prime Minister always stated publicly that he would be prepared to consider it, and I believe that the fire power limited in this way would generally be no greater than that of a double barrelled shotgun and arguably less than repeating firearms. Secondly, as a general comment, I do not believe that Prime Minister Howard ever intended to agree to crimping, and I do not believe that he fairly considered all the options.

I acknowledge that the Prime Minister indicated publicly that he based his decision on the Australian Defence Force's investigation. It took me some time, but I do have a copy of the public provision of that report. His assessment, as I understand it, was based on two methods of crimping that were supplied to him. The first included using a round-nosed pinch and the second included a continuous crimp used in the United Kingdom. It has been difficult to get information, but I understand that the Prime Minister did not give a fair hearing to the South Australian Philip Johncock proposed method of crimping. I will explain that shortly.

The Prime Minister set up a Federal parliamentary firearms consultative committee specifically to look at how semiautomatic shotguns and pump action shotguns could be effectively disabled by converting from five shots to carry two shots only, on the understanding that the Prime Minister was prepared to consider any disabling measures that complied with the May agreement. David Hawker, a Liberal member from Victoria was Chairman of that committee, which comprised Warren Truss, National Party, Queensland; Neil Andrew, Liberal Party, South Australia; Nick Dondas, Country Liberal Party, Northern Territory; Michael Ronaldson, Liberal Party, Victoria; Warren Entech, Liberal Party, Queensland; Michael Cobb, National Party, New South Wales; Mrs Sharman Stone, Liberal Party, Victoria; and Senator Winston Crane, Liberal Party, Western Australia. Although it has been difficult to get formal information on the report they presented to the Prime Minister, I believe it is no secret at all that the strong recommendation of that committee, which the Prime Minister himself instigated, was to allow crimping.

I want to return briefly to the Philip Johncock method of crimping. While I admit that I am no ballistics expert, I have discussed it with him and I am aware that he spent some considerable time with our State's Police Minister before he went to Canberra last week, and with Ted Warren from the South Australian Police Department and the chief armourer from the South Australia Police. I am led to understand that they supported and sanctioned the method that was described and discussed with them. I also have it, I guess by hearsay, that other Police Ministers at the Canberra meeting last Wednesday also supported that proposition. I commend our

State's Police Minister for his leadership, and for his determination and intention to push that option, even though it was unsuccessful last week.

I want to briefly describe the Johncock method of crimping as it has been put to me. It is a process of welding a hardened steel sleeve inside the magazine tube on a semiautomatic and pump action shotgun. After that is done a rolled crimp is applied to the tube at the muzzle end of the sleeve, and four saddles or bars are welded with hardened steel rods across that crimp. This makes it impossible to remove the crimp and, in any case, there is still the hardened sleeve inside which acts as further insurance against removal. The tube or magazine is either welded to the action or retained with high strength high temperature retaining compound, in other words a chemical weld, to prevent removal.

I specifically note that subsequent to this our State's Police Minister was quoted in the *Advertiser* of 17 July as saying that the Johncock method of crimping was irreversible and any attempt to undo it would destroy the weapon. He was further quoted as saying:

Depending on what sort of shotgun is involved, it would cost between \$50 and \$100 to modify the weapon.

I stress that the significant difference between the two methods that were presumably considered by the Prime Minister and the South Australian Philip Johncock method is that the latter involved a sleeve on the inside of the magazine and the two former methods considered by the Prime Minister did not.

This provides a clear indication that this method of crimping, which is promoted and supported at the South Australian level, can be regarded as an irreversible option. However, anyone can argue that something is reversible. Anyone with a lathe, the appropriate technical ability or the machinery could reverse anything, but I put on the record that the comment earlier was that the weapon would have to be destroyed. I also put on the record that anyone with the engineering expertise, ability, time and machinery could fabricate their own weapon—including a semiautomatic one.

I conclude with a fourth reason for why I believe this practical and fair compromise method is warranted, and that is because it will save millions of dollars. It is very hard to get a close handle on the amount that it will save, but it will be mega millions of dollars, and I do not think that that can be argued against. The dollars that could be saved, as far as I am concerned, could be spent on countering any adverse impact of the deleterious use of guns.

For example, it could be used on mental health services or programs to treat the causes of potential maniac actions in relation to guns, whether that be in terms of expending such funds on tackling the resources of violent movies or videos, which I believe need attention and certainly incite some of the actions with regard to poor gun use today; on remedying drug abuse; or on road safety to reduce deaths on roads. Therefore, the dollars that would not have to go into recompense for these types of weapons, which could effectively and satisfactorily be crimped, could be much better spent on other measures and provide a better contribution to the community. I urge all members to support this amendment.

Mr QUIRKE: I want to remark on this concept of crimping and this clause in particular. First, some information has been running around here tonight that we in the Labor Party have a Caucus position on this. In fact, we do not have a Caucus position on the question of crimping, so you can blame me for what we are going to do rather than blame the

Caucus. The member for Spence is notoriously late for meetings, and Caucus meetings are no different. I assure members that there is no Caucus position on crimping, and the reason is that I told Caucus that it was going to be a debate for the regulations.

Last week I spoke to the Deputy Premier and, from looking at the Bill and talking to the member for Florey, there was no debate on the books as to crimping, as least in the primary Act. As a consequence, we took a package of about 21 or 22 issues into Caucus and that resulted in the amendments that are now in front of most members, and I am afraid that crimping was not one of them. Had I been in the possession of the member for Chaffey's amendment I would have taken that into Caucus, but I did not get that until about 4 o'clock this afternoon.

I want to make a few remarks on this matter. I did not go into this in great detail in my speech because I was aware that it would be one of the key issues—and from the speeches here tonight some would argue that it is the key issue—of the Committee stage. I have found the actions of a large number of quite adult persons quite amusing, and in particular the Prime Minister, who I do not have the same respect for that some of my colleagues in this House have, on both sides of the political fence, I might point out. I see him as a man who is very limited in vision and who has brought the question of crimping and the whole problem there to such a point where he now has the Police Ministers and his own Attorney-General (and I do not know how he got to be a QC, from the debate I have seen so far on firearms) defending the Prime Minister's backside on this particular issue.

Frankly, if you can put a man on the moon, almost 30 years ago, you can reverse a crimped firearm. You can fill it with concrete and stick it in a block and drop it in Sydney Harbour but if someone has the will they will pull it up and chip off the concrete, or they will go into their workshop and make another one. On the whole debate on crimping I sat back and hoped that some commonsense would prevail. However, at least with this Prime Minister that does not seem to be the case. I would suggest that in relation to the position we now have ourselves in, if we vote for this tonight, I do not share the member for Chaffey's view that this will be a minor issue. In fact, I do not think the Police Ministers took the view last Wednesday that it would be a minor issue, either. The Police Minister in this place can speak for himself, of course. I think this is one of those issues and one of those debates where, for some reason or other we have got ourselves into a corner. I feel quite powerless in this debate, and the member for Hartley and one or two others made similar comments before.

Frankly, I have been around firearms all my life. I have had very little to do with shotguns, but I have had something to do with them. As I said on a radio program, as to a shotgun that goes 'Bang, bang' twice, it really does not matter what kind of action that shotgun has. I would have thought—and I will give a bit of gratuitous advice here to the Prime Minister—that his number one concern should be the 3 to 6 million unregistered guns that are around the place, of which there is a fair chance that some may go underground and may surface in a circumstance that none of us wants. One would have thought that that would be the main issue.

I make it quite clear that we on this side of the House are supporting the Government on this issue and we are doing so because of the stakes involved. I do not know whether or not the Prime Minister really would go ahead with a referendum. The member for Chaffey seems to think he would not do it,

and I have heard different members around the place say that they think the same. A rational Liberal Prime Minister who sits basically in the right wing of the Liberal Party with much to lose in the country and who would see his National Party allies ripped up would probably not want to go ahead with a referendum. Then again, I honestly thought that when this bloke was offered crimping he would have snatched it and run and saved the community tens of millions of bucks, that he would have got up there and said, 'You fellows have come along and brought me something that the Federal police tell me is largely or totally irreversible.' I would have sat back and had a bit of a chuckle about it, because I honestly think that there is nothing that is irreversible. I had tea tonight, some pleasant fish and chips, with Mr Johncock who seemed to me to be a very good tradesman. I am cynic when it comes to these things. I reckon that anyone who can make a gun in a workshop can probably modify other guns there.

If I had been John Howard, that would not have bothered me nearly as much as the millions of guns out there, and the compliance with some of the legislation in the other States where there is non-registration. The Opposition will support the Government on this position, but we will not support the shifting of these firearms into a category where they will be accessible to every licence holder. I want to make quite clear to the Committee that I am mindful that we have solved at least one of the shotgun problems with the decisions of last Wednesday for a greater number of exclusions in category C. What I understand by that—and the Deputy Premier may wish to take this on board, but we will certainly be debating it later—is that one of the areas of concern is the clay target shooters. My understanding is that they will now have, either through this Bill tonight or when it reaches the other place, open access to category C weapons.

The Hon. G.M. GUNN: I support this proposal because it will bring back into the debate a degree of rational commonsense which, in this whole very emotive issue, appears to have escaped certain people. We are debating this very broad clause. We are here tonight basically because Prime Minister Hawke allowed hundreds of thousands of blasted SKSs to come into this country. They were taken into Queensland where they were not registered; they were cheap and nasty, at \$150 a throw, with 1 500 rounds of ammunition. They have crossed the country and people, who would not have taken the trouble or gone to the expense of buying an expensive centre-fire semiautomatic rifle, have easy access to them. That is why we are here tonight.

The law abiding, decent Australian citizens, who have been firearms owners for generations, who have participated in their sporting activities, are being penalised because of that irresponsible action by the Commonwealth. This State has had strong firearms laws, and that has to be borne very much in mind. Some people have a legitimate use for those SKSs. I have a few constituents, one in particular, who said that he was getting too old to run up the hill and muster his sheep; and his dog was getting too old. He is not a good shot, but he puts two or three shots alongside the sheep and they run together. I had to say to him, 'I think you are going to miss out. I share your concern, and I think you have a legitimate use.' I believe the majority of firearms users in this country would trade the SKSs for commonsense and rational decision making.

The proposition put forward by the member for Chaffey is fair and reasonable. Like him, the other morning I read with a great deal of interest in the *Age* the proposition put forward for crimping. As far as I am concerned, from the

explanations given to me, it is secure. It is a practical solution that would save millions of dollars for the taxpayers, and that money could be used to buy in all those unregistered and illegal firearms which will go underground in this country.

These laws are directed at the law abiding firearms owners. The people who have licences, the people who have their firearms registered, the people who comply with the regulations, those who belong to the shooting fraternities, the primary producers and the professional shooters are the people who will be penalised. That is all of us. The police know that we have firearms, but there are hundreds of thousands of these other firearms in the community. That money should be used to buy back those firearms, because it is in the interests of the general firearms community.

The real test of this legislation will come when it is enacted, approved at Executive Council and printed in the *Gazette*, because there are thousands of law-abiding citizens, decent hard working people, who have owned Browning semiautomatic shotguns for generations and who have never committed an offence in their life. They will be called upon to hand over those weapons. None of them will want to do that, so they will resist. If they had the choice to crimp them, they would not be happy but many of them would be satisfied. When they refuse to hand them over and the police knock on their door, under another clause, a draconian outrageous clause, the police have the power to break into houses, to virtually kick the door in and seize the firearm and fine the constituent up to \$10 000. In fact, we saw on television tonight what happened in New South Wales when they made a mistake, and I have had examples in my electorate where the police have kicked in the door of the wrong house.

I put to the Committee that people will not pay the fine. When they do not pay, they will be convicted and put in gaol. Let me say this to Prime Minister Howard: he could have avoided this problem. He could have taken all the heat out of this debate by providing some commonsense. When they go to put the first person in gaol there will not be 50 people protesting in Victoria Square, there will be thousands, and it will be the same in St Georges Square in Brisbane and elsewhere in Australia. This amendment put forward by the member for Chaffey provides commonsense. Every rational person who knows anything about firearms would not be happy, but they would agree that it would solve a very difficult situation. I had a constituent say to me the other day, 'I have had a Browning semiautomatic shotgun since about 1946. It is registered. I have done nothing wrong, so why should I have to hand it over?'

The other point which people have not recognised is that, when they take all the Browning shotguns, everyone who needs a shotgun will have to go and buy a side by side. This legislation will make it so hard for people to have a pump action shotgun that there will be a complete changeover in the trade. All the Brownings and most of the pump actions will have gone, so the gun dealers will begin importing into this country thousands of double barrel shotguns. It is absolute nonsense. I might not know much about many things but all my life I have had experience in the firearms community. I do not own a semiautomatic shotgun, although I have always had a desire to because they are a very well made weapon, and that is recognised throughout the world. They are a valuable investment. Recently, I have seen Brownings valued at over \$5 000, and we can talk about that later.

I put to the Committee that this is a practical, sensible, commonsense approach to a difficult situation, and I know

that our Minister went into bat for it. I cannot understand why the Prime Minister is so intransigent on this issue. If he wished to agree to crimping, he has everything to gain and nothing to lose. The nation as a whole has a great deal to gain because it will save millions of dollars. This money ought to be used to buy all the weapons in Queensland and New South Wales that have been mail ordered into the country because of the foolishness of Hawke and company who let them in in container loads. We know that the first lot were 10 shot, the SKS, and a few were fully automatic. The next lot were 30 shot with a bayonet on them. They were selling them at field days around the country, and people were lining up to buy them. I know where there were thousands of them.

So, we could buy those back and melt them down, do what we like with them, but for God's sake we must not plunder these other guns off people, many of which are family heirlooms, when it is not necessary. They could be reduced to a two shot and a great deal of heat would be taken out of this debate. I could say much more, but the hour is late. I have listened intently tonight. I will say many other things before the night is over. It is a subject about which my constituents and I feel strongly, and I believe the proposition is a sensible one and in the interests of the nation as a whole.

Mr VENNING: I support the amendment so capably moved by the member for Chaffey. I agree that crimping or any other non-reversible mechanical alteration would meet the criteria and the general thrust of this legislation: in other words, one would make a five-shot into a two-shot. This is the only method available to us to allow, even in a limited way, the continued use of existing semiautomatic sporting type .22s and shotguns for people other than farmers, and I am very grateful for that being in the Bill. Crimping as described by the member for Chaffey is very difficult, if not impossible, to reverse but, as we all know, nothing is impossible. As the member for Playford said, if you want to go to all those extremes, it is possibly easier to make a new weapon. It is also possible to alter all existing weapons for another purpose.

I have had experience of this; I wore out a pistol and wished to keep it, so I took it to an armourer and had it mechanically disabled. I looked at it and thought, 'Well, if you wanted to go to the trouble to bore out the barrel and get the mechanism freed again, it would be a lot cheaper and easier to get one underground'—which of course I did not do. It is an argument that I will not accept. Nothing is impossible to reverse. I was very cross about the people who said it was reversible.

I want to remind members in the House tonight (and it has been described in the previous debate) that most country people have a great affinity for their firearms, probably a lot stronger than in the city. Those who do not own farms or work on them will be penalised and prohibited from using their semiautomatic guns—their .22s and shotguns—on their relatives' and friends' farms. Many of these people used to own the farms but no longer do. Some have been unfortunate enough to lose them in the recent hard times of drought, low prices and high bank interest rates. Many of my constituents have shown me their shotguns, and some could be described as absolute heirlooms, having been handed down over the years. But, because they do not own their farms they will not legally be allowed to retain these shotguns.

I saw a sterling silver 1910 Browning shotgun. What would it be worth? What will become of it? Will that person be compensated for its true value? I can assure you that that gun will never be handed in. You can put that person in gaol

for 20 years and you will not get it. This is one way that we can solve the problem. I am sure that that person would not have much joy seeing a steel piece welded into the chamber of the magazine, but if it was the only choice I am sure he would do it. This measure is the very least we can do to help the gun owning fraternity—the responsible people—who are asking us to help them. They are pleading us to help them, and this is the very least we can do. For compassionate reasons, I urge members to support this amendment.

Mr LEWIS: The only people who can rationally support the present position in the Bill and refuse to support the member for Chaffey are those who mistakenly believe that, by requiring shotguns to be handed in we will be reducing the number of firearms deaths in the community. We will not. People who hand them in will take their compensation money and, as the member for Eyre has pointed out, go and buy themselves an under-and-over or side-by-side, and they will be no more or less effective than the crimped magazine Browning automatic. There will be great monetary cost to the public in two ways. The first will be the compensation that will be paid to those people who presently lawfully own and surrender their Browning or other semiautomatic shotgun. That will be the first payment, and then there will be our balance of payments when those same people take the money that has been paid to them in compensation for the shotgun and buy an imported double barrelled under-and-over or side-by-side, as they will be entitled to do. There will still be the same number of firearms, and 'the warm fuzzies' that some members imagine they will get by refusing to support the member for Chaffey will stand for nought.

The second point that I make in support of what the honourable member has suggested is that, if a remanufactured or crimped semiautomatic shotgun is reconverted, it will become an illegal firearm, and the full weight of the law can be brought down on anyone who owns such a firearm that has been remanufactured back into a five-shot magazine. The vast majority of people who own those firearms want to keep them now, and they will accept crimping of their magazines, especially if it is in the form of Mr Johncock's proposal, which is the least likely to be capable of reversal using the same material of any of those that have been suggested, and they will stick with that. They will not seek to reverse that in some crude fashion.

Everybody's best interests will be served by this measure. The vast majority who accept the law will not support those other people who do not. At present, by refusing to accept what the member for Chaffey says, we are simply saying to all of them that their firearms are unacceptable, even in the modified form—the Johncock modification. We will anger them and they will be less inclined to support the law and more inclined to go outside it. By our stupidity as legislators in refusing to accept this amendment, if that is what we do, we will bring ourselves into disrepute and disrespect. The public will not see us as credible people, because we will have taken a position which is not only more expensive for the public purse but also more likely to result in disobedience in greater numbers in the form that the member for Eyre has already explained, bringing us into disrepute. I do not fancy the notion of that level of civil disobedience.

I repeat: we achieve nothing by refusing this amendment—not a thing. We achieve a great deal by accepting it. We achieve that by getting the vast majority of people to come on side and accept that the world has changed, whether we like it or not, and that what we could enjoy previously we can no longer enjoy because it is felt, without scientific

evidence, that to go on enjoying it is to put the public at some greater risk than the removal of that enjoyment. That greater risk is not supported by the facts. If one looks at the gun death rate per 100 000, one sees that in 1983 it was 4.24; in 1988 it was 4.08; and two years ago it was 2.92. If one looks at deaths by cause, one notes that firearms accidents and assaults resulted in 96 deaths in 1994; suicide by firearms, 420; vehicular accidents, 1 959; and medical accidents, 12 000-odd.

If one looks at those injuries which require hospitalisation one sees that only 144 are related to firearms but 1 600—more than 10 times that—result from bicycle accidents. There are over 5 000 from drug poisoning; in 1992-93 from cuts and impaling there were 6 300 odd in New South Wales; from falls, 12 500; and from motor vehicles, nearly 43 000. Members will recall that firearms totalled only 144. From medical causes—doctors, surgical or some other treatment—the figure is 63 500.

In West Germany, prior to the reunification of Germany, when there was widespread use of sporting guns, a very high standard of living and very good socioeconomic conditions, the murder rate was 1.2; in Singapore, where there are draconian gun controls but good socioeconomic conditions, 1.6; in Switzerland, 1.8; in Australia two per 100 000; in Egypt, where there is draconian gun control and poor socioeconomic conditions, the figure is 28.3 per 100 000; and in Sweden where there is strict gun control and good socioeconomic conditions, it is 9.6.

So, the figures do not support the proposition that we ought to remove firearms from society and thereby make it safer. It will not be. It will not affect the murder rate and it will not affect the gun death rate. We have more firearms now in Australia than we did in 1983, yet there has been a reduction from 4.24 to 2.92 in the number of deaths per 100 000. I have made those points. I therefore repeat: if we do not support this proposition, we simply alienate thousands of law abiding Australians by requiring them to hand in what most of them are sentimentally attached to and would be otherwise willing to accept in the form of modification as suggested by the member for Chaffey and solve ourselves a political problem in the process of doing so, and we do it for no good cause. I urge members to support the member for Chaffey's amendment. I explain that in any and all divisions I am paired, but my vote goes with the amendments, not with the Bill.

Mr CAUDELL: The Deputy Premier might wish to give the member for Ridley a mathematics lesson on statistics. If South Australia were to pass this amendment, there is nothing surer than that the Prime Minister will call a referendum.

Mr Lewis: Which he would then lose.

Mr CAUDELL: Oh, please! If the Prime Minister does not call a referendum, maybe the member for Ridley should look at the mathematics in the Senate, and he will see that the Democrats plus the Australian Labor Party equals sufficient numbers to call a referendum. He will also then find—

Mr Lewis interjecting:

The SPEAKER: Order, the member for Ridley!

Mr CAUDELL: He will also find that over 70 per cent of the total population of Australia will support the Prime Minister regarding the Federal Government's having control of firearms. He will see a completely different Act covering South Australia from the one that the Deputy Premier has brought forward. The Deputy Premier has gone to a lot of effort to ensure that there is a compromise Bill associated

with it. I think that members will find that a majority of the States and of the people would support a referendum.

The Deputy Premier might wish to enlighten us based on the information he has obtained in Canberra, but none of the speakers has said that crimping cannot be reversed. Therefore, we would be wasting our time with this legislation if we allowed a situation to occur which could readily be reversed later. It would be a complete waste of time and effort with all the aggro associated with crimping. I would like the Deputy Premier to advise the House and the member for Ridley regarding the mathematics associated with the Senate and the likelihood of the outcome of a referendum on this issue.

Mr BROKENSHERE: I am already on record as saying that I will support the Bill overall, but I have also said that I would have liked to see a situation where some flexibility, some fairness and, possibly, some equity could come into the equation. In talking to constituents, whether they be for or against the Bill, I have not had one constituent who did not say to me that if crimping were to be agreed upon he or she would oppose that, because effectively it meant that there would be two shots only, so it was really no different from any of the other rifles that gun owners would be able to keep. There would have been two magnificent benefits there. One would have meant that a lot less money would need to have been put in by the community, and that would have allowed some of my constituents to put that money into private health cover for their families, or whatever, rather than into buying guns that would be melted down.

The other equally important factor is that it would have allowed many people in my electorate who are passionate about their guns, some of which are heirlooms, as the member for Eyre has said, to be able to keep them. I can understand why they would want to keep them, just as we all want to keep personal possessions that we value. But the member for Playford hit the nail on the head. I have been agonising over this issue, because I believe it would have been a win-win situation.

However, I have been going in and out of the Chamber getting more information as the day has been proceeding, and I am more and more convinced, particularly because South Australia is not the last State to introduce legislation (a couple more States still have to do so), that John Howard, irrespective of what some of my colleagues may say, is actually just looking for an excuse to go to a referendum. He believes that he is on a big winner with this.

The community by and large is right behind him, and I understand why. I explained some of that in my previous contribution. But John Howard will use crimping as the excuse. He knows that in this instance he has the numbers behind him, and it would be a big coup for him to show just how hard-nosed and tough he is. I know that his advisers have been pushing him all the way to be as hard and gruelling as he can be on this issue, because all the qualitative and quantitative survey work that has been done recently shows that what Australians are calling out for more than ever after the Keating Government is very strong leadership. They are itching to see that, and Howard knows it.

This issue would get up at a referendum, and frankly Mr Howard does want this referendum to get up. Therefore, I see this as a situation where crimping would have appeased an absolute majority of my constituents who are supporting tougher national gun laws, which I have said should have been just South Australian laws adopted right around the nation. It is unfortunate that that did not occur. Those constituents would have accepted crimping. However, I still

believe that at the moment we have at least a chance to hold legislation in the State.

I have always been against the Federal Government's taking powers away from the States. After listening to some of my Federal colleagues, including at conventions just recently, I know that they would not mind the opportunity of taking total gun control away.

Therefore, I think, when I have summed up the matter, my constituents who own guns would be worse off if it went federally. Frankly, weighing the whole thing up, whilst I understand what the member for Chaffey is trying to do—and I believe that would have been a fair and equitable way around it—I know from what I was told very late last night that John Howard will go all the way with a referendum. I am not prepared to run that risk.

Mr MEIER: In theory I have no problems with this amendment. In fact, I have pushed for this for the past two months. It is interesting to take in a quotation from *The Age* of 18 July in an article by Stephen Cauchi, which reads as follows:

A South Australian gunsmith and shooter has defended his proposal for crimping guns. Asked whether his proposal was foolproof, Mr Philip Johncock, from Wellington, replied: 'It seems to be.' But the proposal has come under fire from the president of the Combined Shooters and Firearms Council, Mr Michael Hudson. Mr Hudson has said that no crimping was irreversible and there were ways of getting around Mr Johncock's modification.

Obviously that argument won the day—or, shall I say, lost the day. The debate has been had around the country. I pushed it through my local member, Neal Andrew, who was on the investigating committee; I pushed it through my local Minister, the Minister for Police, who also pushed it. We thought that John Howard would accept it but he did not.

As to the threat of a referendum, when the Northern Territory's Chief Minister, Queensland and Western Australia backed out after a saying that they would not back down, a referendum was almost a certainty. I say to those members who represent rural communities, 'Please weigh up the consequences of a referendum.' Earlier this evening the member for Davenport said that the ALP wants to see firearms in Australia banned by the year 2002 and the referendum will help to ensure that this occurs. Certainly the chances of its passing would be very high based on the statistical information that has come to hand so far.

Mrs ROSENBERG: I would like to make a couple of quick points, one to do with the referendum. During my contribution I raised the issue of the difference between the State and Federal powers. I would like members to consider very carefully, when they make the decisions about why they are voting for or against this amendment, whether it is really about this amendment or about the fact that they are not prepared to stand up and be counted just in case there might be a referendum. If they will not be counted this time, how many more times will they not be counted? Members should think about that before they make a decision.

Secondly, I heard someone say that gun owners would reverse the crimping. Most of the gun owners I have spoken to during the time of this debate are reasonably intelligent people, and I have to ask members here which gun owners would crimp their guns and go to the trouble of uncrimping them. Would they not just keep an illegal gun in the first place? There is no logic in anything I am hearing.

Thirdly, I understand that the Police Minister, on behalf of this Government, went to the last meeting with the Prime Minister to fight for the crimping issue because he believed in it. Several times on the radio I heard him say that the form

of crimping that the member for Chaffey referred to 'looked pretty solid to me'. The question I have to ask the Minister is: does he still believe that that form of crimping is solid?

The Hon. S.J. BAKER: As I said, I think there have been some disappointments tonight, and I find this one of the greatest disappointments. It is not about whether or not I agree with it: let us get it right. I went to Canberra with a solid case, with a case that was supported by all Ministers. The Prime Minister said 'No'. I fought for other concessions and we got other concessions on that day. If you want to go through a fairly difficult time I suggest that you go to Canberra and, at the end of the day, you will be told, 'If you do not agree to this measure we have a whole range of other measures we can bring to bear.' The Prime Minister said, 'I believe that it will fundamentally depart from the resolution of 10 May.' He also said that it was reversible. It is a hell of a task to reverse the Johncock crimp. It is a hell of a task.

Mr Lewis: It is easier to make a new gun.

The Hon. S.J. BAKER: I am simply putting a very strong point of view to this House, having been to Canberra, having fought the battle—and can I say really fought that battle—and having had all the other Ministers strongly support that battle, even to the extent that we had New South Wales and the ACT, who were opposed, fighting the same battle for us. I had that force behind me and then had the Prime Minister saying, 'I believe it will take away from the 10 May resolution, I am not willing to have that happen to me, I am not willing to have that happen to the resolution of this country, I am not willing to have people believing that the gun reform process is going to get hijacked along the way.' I then come into this Parliament and have it thrown back into my face. That is why I say it is one of the greatest disappointments that I have found in this debate. If anyone believes that I did not fight that hard they should get a little bit of a documentary.

We went up to Canberra and did our best on what we believed, and Canberra on this occasion said, 'No, because we have the integrity of the gun reform process clearly on the line.' We said, 'The gun reform process has to happen in this country,' and the Prime Minister said, 'If I do not get the gun reform process I will have a referendum, and if I do not have a referendum I can imagine that the ALP will make me aware of it for the next three years.' I just wish that some people would think through that. I have fought my guts out on this issue. I have a number of other issues and, as I said, on my side of politics I expect the support on an issue which is deemed to be of national importance.

Mr EVANS: I reinforce some comments I made earlier in relation to crimping. I accept the comments made by the member for Kaurna about standing for principles, but in my view you occasionally need to be practical in your outlook. I accept and understand the arguments of the member for Eyre and of the mover of the amendment, and the member for Ridley. But let us examine this now as politicians, because, as I understand it, if the amendment is passed here it needs to go to the other place. I might be wrong, but if my memory is right, in the other place the Democrats and the Labor Party out-vote the Liberals. The Labor Party is locked in, although I accept that the member for Playford advises otherwise. However, I think that when push comes to shove in the public forum of the Upper House the Labor Party will be locked in. The Democrats are calling nationally for a referendum and therefore the Democrats are locked in. So, even if you pass crimping here tonight, it will not get through the Upper House. There is nothing surer; it will not get through the Upper House. If you think it will get through the Upper

House then you have a different reading of the politics in this State than I have. That is the first point.

The second point is that this item is on the national agenda. It is not just a South Australian issue, but a national issue. Nationally we have Howard saying, 'If we do not get uniformity we will have a referendum.' We have Beazley saying nationally, 'If we do not get standard legislation we will have a referendum.' Kernot is saying, 'We will have a referendum.' The Greens from Tasmania are saying, 'We will have a referendum,' as are the Greens of Western Australia. Let us say for a minute that Howard backs down. I do not think he will. I might be wrong, but I do not think he will. That is my judgment of the man.

So, then what happens? The Senate says, 'We will move a motion to have a referendum.' But Kernot, the two sets of Greens and the Federal Labor Party in the Upper House then pass a motion—even assuming no Liberal votes for the motion—to have a referendum, and a reporter from every newspaper, television and radio station will be straight in front of Mr Howard saying, 'You have gone to the people, Mr Howard. You claim to have had 80 per cent support.' I do not agree with that figure, but that is his claim. The media will say, 'You have 80 per cent support, yet you will not have a referendum?' We are all politicians in this place, as I understand it. Put yourself in Howard's position. You will have every other Party backing the referendum. There will be a motion from the Upper House backing the referendum. He is on record as saying publicly that 80 per cent of the people are in favour of having a referendum. I do not believe that John Howard will withdraw from having a referendum under those circumstances.

We are one of the first States to debate this legislation, not the last. So, South Australia breaks the standard legislation on a key issue. I accept the breaking of some minor ones, as we have done earlier, like the action for the receiver—that is not a key issue, but crimping is a major issue. South Australia is the first State to break; then other States break, and there is your trigger. I do not believe for a minute that those who vote for crimping have control of the issue, because the Upper House in this Parliament will not pass it. Even if it does pass the Upper House, you trigger the referendum because Howard does not control the Upper House in Canberra. The Upper House will move a motion for a referendum, and then the Parties that have agreed a referendum will then totally support the issue in question.

They will not ask a detailed question. They will ask a very general question, something like, 'Do you think the Australian Constitution should be amended to give the Federal Parliament control of gun laws?' That is a motherhood question that will get a 'Yes' vote. They will not ask, 'Do you want a .303 with (naming the ammunition)?' They will not ask a detailed question. While I understand and accept the argument, I think politically you are making an error in judgment if you think that Howard will not call a referendum.

If you think you can beat five Federal Parties all backing the same question, that will be a first for Australian history, because never in Australia's history has there been a referendum lost where the two major Parties have supported it, and you will have the Labor Party in every State supporting it because they are locked into their position. You will have the Federal Liberal Party, the Democrats, the Greens in Tasmania, and the Greens in Western Australia each locked in. If you think that 16 politicians crossing the floor in the Lower House in South Australia will beat the might of the

national media and the might of the national Parliament, I think you are in error.

Mr BASS: If I heard the Minister correctly, he said that he went to Canberra and was supported by all the other Australian Premiers. Therefore, there were eight people who wanted something, and the Prime Minister who did not. I just think somewhere in this matter tonight I have lost the plot, because I thought we lived in a democracy. I understood that the majority wins in a democracy, but we have one person in Canberra against all the leaders of the States, and what happened—all the leaders of the States laid down. If that is democracy, I will go home.

We say we cannot do this because it is against the resolutions agreed to on 10 May. The resolutions of 10 May contained nothing about semiautomatic shotguns and pump action shotguns for clay shooters. Therefore, the resolutions of 10 May have already been broken. I ask the Minister: was it democracy and why can we not break the resolutions when this week they have broken the resolutions mainly because they knew that someone had a good chance at winning a medal, and they were going to have egg on their face?

The Hon. S.J. BAKER: The clay target shooters were going to be looked after because the Prime Minister had already given an undertaking that Olympic sports would not be affected by the resolutions passed on 10 May. That undertaking was made in the resolutions. The Prime Minister always had to come across the line. If the Prime Minister did not come across the line on crimping, he always had to come across the line for the clay target shooters, irrespective of the Olympic Games. In terms of whether there was democracy, it was all a matter of negotiation. The Prime Minister has the power of the purse, and he also has the power of ultimate persuasion. We obtained a number of concessions which he would not otherwise have given us. Had we won on that issue, we would have lost on some of the other issues. It was all a matter of negotiation. We obtained some very good compromises on other issues which are very important to legitimate gun owners in the process.

Mr QUIRKE: I do want to become involved in this unedifying blue in the family feud, but there are a couple of remarks to which we need to respond. Under this provision the member for Goyder, who apparently was quoting from a speech from another member earlier tonight, alluded to the fact that the Labor Party has some secret agenda and that somehow we are running all this and we will ban everyone's guns by the year 2000. That is news to me. I must say I skirted off this issue in my speech this afternoon because, quite frankly—and the Deputy Premier will confirm this—my view is that this is a first step towards the total disarmament of the Australian community. I reckon that the Deputy Premier probably did a reasonable job in Canberra. He came back with a few concessions. It would have been nicer if the Deputy Premier had come back with a couple of others, but the honourable member has a blue in his own family for that one.

I make it quite clear that we are committed to the recreational use of firearms, and we are committed to that under strict law. I said that at the rally, I have had said it in this place and I will say it wherever. This secret plan usually comes out in the form that some idiot in TAFE wrote a letter years ago saying that gunsmithing ought not be taught any more in TAFE because, in a few years, there will be no more guns. That is the level of proof. We are not into that.

Again I come back to this question of crimping. I make it clear that we have no Caucus position on this and, quite

frankly, that means that we have a free vote. I am not sure what the other members of the Labor Party will do on this issue. I think the logic of the member for Davenport is inescapable, but every member in this Committee has a free vote on this issue.

Mr Cummins interjecting:

Mr QUIRKE: I am not sure what the interjections of the member for Norwood are, but within the Labor Party his former friends are the ones who are pushing the anti-gun agenda. The honourable member has converted and joined members opposite. I do not know whether or not he has become a born—

Mr Cummins interjecting:

Mr QUIRKE: No, I have not been asleep tonight—that was you. I do not know whether the honourable member has become a born again gun lover as well, but it will be very interesting to find out.

Mr BASS: When the Minister answered my question he made a very interesting comment that the Prime Minister controls the purse. Is the Minister telling me and this Committee that there has been a threat to do with money between the State and the Commonwealth?

The Hon. S.J. BAKER: For crying out loud, the Premier and I have said 'No' consistently on that point.

The Committee divided on the amendment:

AYES (7)

Andrew, K. A. (teller)	Bass, R. P.
Condous, S. G.	Greig, J. M.
Hall, J. L.	Leggett, S. R.
Rosenberg, L. F.	

NOES (26)

Armitage, M. H.	Ashenden, E. S.
Atkinson, M. J.	Baker, D. S.
Baker, S. J. (teller)	Brindal, M. K.
Brokenshire, R. L.	Buckby, M. R.
Caudell, C. J.	Clarke, R. D.
Cummins, J. G.	De Laine, M. R.
Evans, I. F.	Foley, K. O.
Hurley, A. K.	Kotz, D. C.
Meier, E. J.	Oswald, J. K. G.
Penfold, E. M.	Quirke, J. A.
Scalzi, G.	Stevens, L.
Such, R.B.	Wade, D.E.
White, P. L.	Wotton, D.C.

PAIRS

Brown, D. C.	Becker, H.
Ingerson, G. A.	Gunn, G. M.
Kerin, R. G.	Lewis, I. P.
Matthew, W. A.	Rossi, J. P.
Olsen, J. W.	Venning, I. H.

Majority of 19 for the Noes.

Amendment thus negated.

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

Page 2, line 7—After 'firearms' insert '(not being hand guns)'. This amendment distinguishes between pistols and muzzle loading long arms.

Amendment carried.

Mr BASS: I move:

Page 3, lines 1 and 2—Leave out the definition of 'collector's licence'.

Introduction of a separate collector's licence is unnecessary duplication and, therefore, unnecessary cost. If implemented, it would mean double dipping and unnecessary administration when the present system and the proposed system would equally cover the requirement by a single licence with

collecting as a purpose of use. This still achieves the aims of Police Ministers' resolutions without unnecessary duplication and cost.

Mr QUIRKE: The Deputy Premier will address these issues but it seems to me that the proposition of the member for Florey has some sense. Unless I am wrong, he is saying that there is no necessity to have a second licence. I wondered why we were having a second licence in respect of this matter. I suspect that it is probably because of the dollars that the second licence will bring in. If that is not the case, let the Deputy Premier give us a good reason for it. I would have thought an endorsement on an existing licence was the way to go. We will be persuaded by the argument.

The Hon. S.J. BAKER: It is a matter that was discussed by all Police Ministers and my understanding is that each State will have separate collector's licences. Those collector's licences have stringent conditions associated with them. You must be a genuine collector and you are not allowed to fire that arm unless you have a permit to do so. There are some very stringent conditions associated with the collector's licence.

In South Australia, you can also have a licence to own a firearm for shooting purposes, and it will be a matter for individuals should they wish to have both licences. It is because of the nature of the collector's licence and the Commonwealth's insistence on very stringent conditions that we do not have collectors being used for gun accumulation and the setting up of arsenals. They should be there for historical purposes and for a good reason: they should not be there as a matter of convenience to collect firearms for purposes that are not genuine.

The Commonwealth was very clear on its intentions. The States were also very clear on their intentions. That means there will be separate licences available for shooters and there also will be a unique and separate licence for collectors. I happen to agree with the proposition.

Mr BASS: Is it the case that a collector has a collector's licence and can also hold a firearms licence for the purpose of shooting?

The Hon. S.J. BAKER: That is correct.

Mr QUIRKE: Will the Deputy Premier tell us a little more about the collector's licence and what the barriers will be for a person to get such a licence? Will he illustrate to the Committee how restrictive this licence will be?

The Hon. S.J. BAKER: I will supply the honourable member with a full listing of the resolution as it came from the Police Ministers' conference, but the first paragraph sets the tone. It states that a collector must be a *bona fide* collector in the opinion of the authorising officer such that the authorising officer must be satisfied that the collection would be of obvious and significant commemorative, historical, thematic or investment value. So, there will not be a collection of guns for the simple accumulation of guns. There must be a genuine purpose for collecting those guns.

As the honourable member would recognise and may have learnt, there were some concessions on collectors. There was no longer the restriction on the category C being made permanently inoperable or a 1946 date introduced, so there was some accommodation from the Commonwealth on the whole issue of collectors. Category D firearms can have the capacity to be sold overseas should owners so wish, but such firearms must be permanently inoperable in that collection.

There are a number of other issues, but they are the major two: the issue of 1900 and firearms produced before that point, for which there is no need to register; collectors of firearms ammunition, detailed as a separate category, so that they can continue their collecting; and the restriction on the firing of those weapons.

Amendment negated.

Mr QUIRKE: I move:

Page 3, line 13—Leave out '12(4)' and insert '12(4) or 12(4a)'. This actually is a consequential amendment on something that is further down on my page of amendments. In essence, I now have to make out the case for a later amendment, which I guess becomes consequential, so I will do that.

This provision seeks to put in place what would be an amendment in clause 6, page 8, lines 5 to 8, which establishes for 16 to 18 year olds the various rules under which they can access the permit system. The Government Bill establishes a permit system for 15 to 18 year olds in country South Australia under certain guidelines. We have no argument with those guidelines and recognise the system. We believe that a similar permit system should be looked at, and I use the words 'looked at' here.

I raised this matter with the Deputy Premier. We will not throw ourselves on the wire on this, but we believe that it ought to be looked at in order to help junior shooters in firearms clubs. We are talking primarily about pistol clubs and some of the shotgun clubs that shoot the Olympic disciplines.

The Hon. S.J. BAKER: The answer is 'No.' This was another matter that was canvassed during our discussions in Canberra. The general tenor of the discussion was that young people can shoot under supervision at the clubs (and that is the venue that would be affected by the honourable member's later amendments); they have to be under supervision; and they should not be allowed to travel without an accompanying person or someone who is responsible for those firearms; and, particularly because in many cases it involves pistols, it was a matter that was discussed and the existing provisions prevail in those circumstances.

The honourable member would recognise that on farming properties a permit system will prevail, and that takes account of the current situation; but in terms of these other areas it was a matter of discussion and it was rejected.

Amendment negated.

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

Page 3, lines 14 and 15—Leave out the definition of 'firing mechanism' and insert definition as follows:

'firing mechanism' of a firearm means the mechanism of a firearm that is designed for the purpose of firing a firearm;

This is a tidying up amendment. I do not think the existing provision is particularly smart.

Amendment carried.

Mr BASS: I move:

Page 4, lines 14 and 15—Leave out paragraph (b).

Amendment carried.

Progress reported; Committee to sit again.

ADJOURNMENT

At 4.2 a.m. the House adjourned until Wednesday 24 July at 2 p.m.