

## HOUSE OF ASSEMBLY

Wednesday 16 October 1996

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

### POLICE (CONTRACT APPOINTMENTS) AMENDMENT BILL

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

### SOUTH AUSTRALIAN PORTS (BULK HANDLING FACILITIES) 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.

### PAPERS TABLED

The following papers were laid on the table:

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

Attorney-General's Department—Report, 1995-96  
Public Trustee—Report, 1995-96.

### BRIDGESTONE EDWARDSTOWN PLANT

The **Hon. D.C. WOTTON (Minister for the Environment and Natural Resources)**: I seek leave to make a ministerial statement.

Leave granted.

The **Hon. D.C. WOTTON**: Earlier this month the Environment Protection Authority was called in to investigate a leak of hydrocarbons at the Edwardstown Bridgestone plant. I am advised that the EPA was first notified of the issue by Bridgestone in September this year and as a result took a series of decisive actions. First, because of the lack of clarity of information from the company on both the size of the leak and the exact compounds, the EPA served the company with an Information Discovery Order. This order sought to obtain information needed to make a proper assessment of contamination both off-site and on-site and to gauge potential risks. The EPA also served an environment protection order on the company. The order required site testing and immediate notification of any individuals that might be at risk as well as undertaking remediation work.

In addition, the EPA alerted ETSA, SAGASCO, Telstra, the Marion council and the Metropolitan Fire Service of the need to practise routine precautions against volatile gases that can build up around underground services. Subsequent testing in the area has revealed the concentration of gases to be well below explosive levels. As a further precaution, the EPA instructed the company to undertake groundwater testing to ascertain the impact of the leak on underground bores. Although modelling shows that solvents may have moved up to 100m off site, the area being canvassed will be a 1 kilometre radius as a precaution.

As far as public notification is concerned, the EPA has insisted that people are contacted personally or by letter, rather than relying on the publication of public notices. And this was done accordingly. Pumping of affected groundwater

is being carried out and this will continue until the area is remediated. I am aware that Bridgestone has established a hotline to handle any public concerns. I wish to point out that Bridgestone is acting under the clear instructions of the EPA in addressing this issue. A full investigation into all circumstances surrounding the leak, its history and any offences under environment legislation is being undertaken. This matter will go before the authority at a meeting on 31 October.

The EPA has advised me that it was not notified of contamination until September of this year. A search of all EPA records confirms this. A search of records across agencies to date has revealed an application for the discharge of treated groundwater from Bridgestone to the sewer, which was approved by the Trades Waste Branch of the former Engineering and Water Supply Department in March of last year. This application to another agency does not constitute in any way formal notification of leakage or contamination of soil or groundwater to the EPA as clearly set out under the Environment Protection Act which was proclaimed on 1 May last year.

### LEGISLATIVE REVIEW COMMITTEE

**Mr CUMMINS (Norwood)**: I bring up the second report of the fourth session of the committee and move:

That the report be received.

Motion carried.

**Mr CUMMINS**: I bring up the report of the committee on the scrutiny of national scheme of legislation position paper and move:

That the report be received.

Motion carried.

## QUESTION TIME

### AUDITOR-GENERAL'S REPORT

The **Hon. M.D. RANN (Leader of the Opposition)**: Why did the Treasurer dispute the Auditor-General's criticisms of the Government's budget claim of \$300 million savings when his Under Treasurer accepted audit's criticism of the budget claims before the release of the Auditor-General's Report? On 1 October the Treasurer said:

To come up with the magical figure which the Auditor-General would wish to look for is akin to mission impossible.

In his appearance before the Economic and Finance Committee this morning the Auditor-General, Mr Ken MacPherson, stated that his office had corresponded with the Under Treasurer on audit's criticisms of the budget's savings claim before the report went to the printer. Mr MacPherson said that the Under Treasurer was shown the text of the report and agreed that audit's reports analysis and criticism was correct.

The **Hon. S.J. BAKER**: I am fascinated by the question, because every Minister in this Parliament would know—

*Members interjecting:*

The **SPEAKER**: Order!

The **Hon. S.J. BAKER**: Just hold on a second. The Leader of the Opposition has been a Minister. The Leader of the Opposition would also know that the Auditor-General writes reports on various aspects of departmental operations. Those reports are sent down for scrutiny by the various departments. That process happens across the board because there may be something factually incorrect and it is a

dynamic process. The issue was the inability to identify \$300 million because, as I said in this House, it was clearly agreed that when you are dealing with thousands of transactions—and the Auditor-General, the Under Treasurer and I readily accept this—

*Mr Clarke interjecting:*

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

**The Hon. S.J. BAKER:** Quite frankly, I do not think anyone gives a damn whether the honourable member continues as the Deputy Leader of the Opposition, but let us get back on track. What we said at the time was no criticism of the Auditor-General at all. In fact, if members read it, I simply said that the Auditor-General had difficulty coming to grips with the \$300 million.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.J. BAKER:** I said that everyone has difficulty coming to grips with the \$300 million because anyone who has been involved in budgets would understand that it is the sustainability of the budget which is \$350 million on the wrong side of the ledger and which will now be a balanced budget. In his report the Auditor-General said that he accepts that we are on track. The identification of each individual item is irrelevant: the fact is that we are on track.

*Members interjecting:*

**The SPEAKER:** Order! The Chair is of the view that, when a matter is currently before a committee of the House, it is not in the best interests of the committee for it to be discussed in the House until the report is tabled.

## ECONOMIC STRATEGY

**Mrs ROSENBERG (Kaurna):** Will the Premier identify to the House some of the key benefits to South Australians of the Government's economic strategy to selectively contract in services from the private sector and to increase the efficiency of the public sector?

**The Hon. DEAN BROWN:** It is well-known that this Government has set out on a program to put the finances of the State in order. We have done that through, first, the sale of assets to reduce debt; secondly, by contracting out a range of Government services to save a significant amount of money; and, thirdly, by reducing the size of Government and therefore reducing the size of the deficit. The reduction of the deficit means that we are no longer adding to the debt year after year, and we will achieve that target in our next budget. We know what has been achieved in terms of the reduction through asset sales. Equally, we know that through contracting out we are now saving the taxpayers of South Australia about \$40 million a year.

I highlight that because I want to contrast it with the Labor Party. This weekend the annual conference of the Labor Party will be held here in South Australia. It will be a very interesting conference indeed, because what members of the Labor Party will try to do at the conference this weekend is reinvent themselves in terms of economic direction and policy. What they will try to do is say to South Australians that they are really different from what they have been in the past.

**An honourable member:** How?

**The Hon. DEAN BROWN:** Let us look at how different they are. First, let us look at the people who sit around the table. The Leader of the Opposition, their grand Leader, is the same Minister who sat at the table as the State lost money

through the State Bank and SGIC. They have the same person in the Leader of the Opposition who guided this State to financial ruin as part of the last Government. Then we come to the member for Hart, who was a senior adviser to the Premier of the day, the same old face, the man who stuck all those yellow stickers on the Government files, who advised Lynn Arnold year after year and who produced the disasters that this State went through under Labor.

*Mr Foley interjecting:*

**The SPEAKER:** Order! The member for Hart has had more than a fair go.

*Mr Venning interjecting:*

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

**The Hon. DEAN BROWN:** We know that they face the same old ideological problems with the trade union movement which have put handcuffs on them and which are making sure that they do not step outside their present policy constraints.

*Mr Foley interjecting:*

**The SPEAKER:** Order! I would suggest to the member for Hart that he just keep quiet.

**The Hon. DEAN BROWN:** There has been no change in faces; they are the same tired old faces that got this State into its previous mess. I think it is also appropriate for us to look at their candidates. Two-thirds of the Labor candidates in marginal seats at the next election are union officials, work for trade union officials or work for existing politicians in the Labor Party. It is the same old, narrow base that the Labor Party has always been.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. DEAN BROWN:** Nowhere do they have fresh blood with commercial experience. Where is the commercial experience; where are the people who have been out in the real world and made it occur?

*Members interjecting:*

**The SPEAKER:** Order! If the House does not want Question Time to proceed, members may continue as they are and we will go straight on to the Notice Paper. It is entirely up to the discretion of the Chair

**The Hon. DEAN BROWN:** I appreciate that this is embarrassing to members of the Labor Party, because here they are, on the eve of trying to reinvent themselves economically—

**The SPEAKER:** Order! The Premier should not invite interjections.

**The Hon. DEAN BROWN:**—and we know darn well that they cannot even make up their mind as to what they want. Before 1991 the Labor Party was hell-bent on doing it all itself, in-house—the State Bank, SGIC and everything else. After the financial disaster of 1991, members opposite came out and said they had seen the light, they now believed in contracting out and the sale of key Government assets such as the State Bank and SGIC. They came out and supported that sale and contracting out. Then the Leader of the Opposition apparently made another deviation, because in July this year he said that he was opposed to contracting out and that, in fact, he would try to undo the existing contracts. How will he attract new commercial investment to South Australia if he intends to renege on existing contracts?

*Members interjecting:*

**The SPEAKER:** Order! There will be fewer interjections from the front bench.

**The Hon. DEAN BROWN:** Here is their grand Leader, the man they are using to try to instil new confidence in their

economic policies, who says he will tear up the agreements already signed. No wonder the member for Hart is sitting there smiling.

*Mr Foley interjecting:*

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

*Members interjecting:*

**The SPEAKER:** Order! The member for Custance and others who have interjected on my right will come to order.

**Mr VENNING:** I rise on a point of order, Sir.

**The SPEAKER:** Order! There is no point of order; the member for Custance will resume his seat.

*Members interjecting:*

**The SPEAKER:** Order! There are too many interjections. If the House continues and members do not want to listen, the Chair can just proceed with the business of the day.

**The Hon. DEAN BROWN:** I also point out that the Government has reduced the debt and, by doing that, it has reduced the interest payments, therefore preventing further debt being added to the one that already exists. But Don Dunstan, the guru of the Leader of the Opposition, says that the high debt levels that we faced when we came to Government 2½ years ago are quite acceptable and that there is nothing wrong with them. Whose advice is the Leader taking? He seems to follow Don Dunstan on most things and he seems to be quite willing to accept Don Dunstan's advice that high debt levels are acceptable. I point out to the Leader that high debt levels occurred in this State as a percentage of GSP—

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

**The SPEAKER:** Order!

**The Hon. DEAN BROWN:** I point out that the high debt levels occurred when this State had a growth rate—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. DEAN BROWN:**—in population of 3 per cent and much lower interest rates. I wonder where members opposite stand on the issue of taxation. Gareth Evans recently said that we are all under taxed. The Federal shadow Treasurer, the national spokesman on Treasury matters for the Labor Party, says that we should have higher taxes in Australia. One can see that the Labor Party is in an absolute shambles when it comes to its economic direction. It switches and changes from day to day. Most importantly, the same tired old faces that got this State into its troubles leading up to the end of 1993 sit around the table. They are the same tired old faces that lost us the State Bank and almost \$4 billion through financial incompetence.

## STATE ECONOMY

**Mr CLARKE (Deputy Leader of the Opposition):** My question is directed to the Premier. Given his statement to the House yesterday that the South Australian economy 'is performing as one of the best of any State in Australia', why have more people been sacked from their job in the manufacturing sector over the past nine months than for the whole of 1995? The latest quarterly survey of manufacturing employment by the Federal Department of Employment shows that in the first nine months of 1996 alone 1 298 people have been retrenched from their job in manufacturing. The figure for the whole of 1995 was 1 012. For the September quarter, there was a further fall in manufacturing jobs, bringing the loss to 4.4 per cent since June 1995, and the survey expects a further decline for the December quarter.

*Mr Brokenshire interjecting:*

**The SPEAKER:** Order! The member for Mawson is warned.

**The Hon. DEAN BROWN:** I pointed out to the House yesterday that there has been a lack of consumer confidence around Australia and that, in particular, a couple of sectors are very weak indeed, including the house building sector and the retail sector, both of which have a direct impact on the manufacturing industry. However, I point out to the honourable member that that does not in any way deny the fact of what I said to the House yesterday. If you look at the State's economy and the way it is being reformed, you see that we are one of the better States in the whole of Australia. Victoria has lost 40 000 full-time jobs since May this year. Therefore, the decline in other States of Australia has generally been much greater than in South Australia. I particularly point out that we are still about 26 000 jobs better off than when we came to Government 2¾ years ago. We have reduced unemployment from 12.3 per cent—

*Mr Clarke interjecting:*

**The SPEAKER:** Order! The Deputy Leader has asked his question.

**The Hon. DEAN BROWN:** I realise that the Deputy Leader is embarrassed by these figures, but we have reduced unemployment from 12.3 per cent under Labor to 9.7 per cent in South Australia and we have created 26 000 extra jobs. I point out that we have attracted many new industry sectors. We have expanded tourism and created a whole new information technology industry that employs 2 500 people who were not employed 2½ years ago. We are up there in terms of expanding resource development. I have given the figures to this House. We have had a three-fold increase in exploration, and we are on the verge of a huge expansion in the export of mining resources. We have further increased exports by 17 per cent in the past year. Since 1990-91 we have increased exports in this State from \$3 billion to \$4.4 billion—an outstanding performance. In the past couple of years alone—and I gave the figures this morning at a seminar—we have increased exports to Europe by 8 per cent, and by much more than that into the South-East Asian area. We have maintained a growth in manufacturing exports out of South Australia.

*Members interjecting:*

**The Hon. DEAN BROWN:** That's right. Out-performing the rest of Australia, our manufacturing exports are the strongest of those in any other State in Australia. I highlight the fact that, although consumer demand is weakened across Australia, South Australia is performing better than the average for the rest of Australia, and the facts are there to prove it.

## SPEED CAMERAS

**Mrs KOTZ (Newland):** Will the Minister for Police provide details of the deterioration in road fatalities and injuries in South Australia? Yesterday, the Minister informed the House of his personal view concerning the placement of speed cameras—

*Members interjecting:*

**The SPEAKER:** Order!

**Mrs KOTZ:**—which are a vital component of road safety management. At the same time, the Minister expressed the following concern:

Speed continues to be a factor in a large number of serious accidents in South Australia which not only leaves a tragic personal

cost to those involved and their families but a high financial cost in terms of the health care provided to accident victims—

*Members interjecting:*

**Mrs KOTZ:**—which I do not think is humorous—

and in many cases compensation from the compulsory third party fund.

**The Hon. S.J. BAKER:** I will repeat that I do not give a damn whether they hide speed cameras. Members should reflect on the road toll. I will give the House some information as to the horrific nature of road accidents as the situation stands today. Whilst there has been improvement in the past 10 years, that improvement has stopped. It is now reversing. That means that the current policies are not working, whether it be the way we operate our cameras, pick up on random breath tests, address the road situation, education or advertising—it all has to change. I put that on the record. If anyone disagrees with me, let them go out on the steps of Parliament and say so. Up to 15 October this year, there have been 135 fatal crashes as against 115 last year and 154 deaths as against 126 for the same period last year—28 more people died on the roads.

That is not the end of the story. There are some pretty important statistics of which everyone should be aware. In terms of casualty statistics, we have already mentioned fatalities. I have the figures up to the end of August. We do not have the full-blown statistics: we have fatalities but not the casualty statistics. For the first eight months of this year, everybody would be horrified by some of the figures. For the same period, there were 112 fatalities compared with 121 this year. In terms of admission into hospital—these involve the very serious accidents—there were 995 last year and 1 141 this year. That is an increase of over 10 per cent. There were 4 362 cases treated by a doctor last year as against 4 647 this year. Regarding minor cases that did not require that level of treatment, there were 1 390 last year and 1 522 this year. In total, 6 859 people last year were affected by road accidents and 7 431 this year. That is an increase of about 10 per cent. I remind members that a large number of those people admitted to hospital become permanent quadriplegics or paraplegics or suffer trauma to the extent that it affects the rest of their life.

For those people who would refute the fact that speeding is dangerous, I point out that speeding and alcohol describe the majority of the incidents we are talking about. The following is a list of the 10 worst accident spots: Mount Barker Road, Leawood Gardens (west bound track); Chandlers Hill Road, Happy Valley (north-west bound); North Terrace, Adelaide (both east and west bound); Mount Barker Road, Leawood Gardens (east bound); Port Wakefield Road, Waterloo Corner (north bound); McIntyre Road, Para Hills (north-west bound); Port Wakefield Road, Bolivar (north bound); Main South Road, Darlington (north bound); and Main South Road, O'Halloran Hill (south bound).

The police now have more information to be able to target those areas, and I assure the House that we will target them. It is not good enough for any Government to stand aside and allow the current system to deteriorate the way it has. It is the intention of this Government, in conjunction with the Minister for Transport, the RAA and those people who have an interest in road trauma and road traffic, to come up with a comprehensive package that will enable us to get stuck into this problem. If anyone feels the need to defend speeding motorists, do not talk to me.

## FINDON PRIMARY SCHOOL

**The Hon. M.D. RANN (Leader of the Opposition):** My question is directed to the Premier. Why did the Minister for Education and Children's Services oppose public consultation before closing the Findon Primary School, and why did he direct where funds from the sale of the school would be spent prior to consulting parents? A public meeting was arranged by the Government on 21 August to give the Findon school community the opportunity to consider options for the future of the school. Just 12 days prior to that meeting, the Minister told his department that public consultation would only result in support for the redevelopment of the school, and authorised his department to tell parents how funds from the sale of the school would be spent. The parents were deceived.

**The SPEAKER:** Order! The last part of the question is comment. The honourable Minister for Employment, Training and Further Education.

**The Hon. R.B. SUCH:** I will seek a considered response from the Minister in another place—

*Members interjecting:*

**The SPEAKER:** I call the member for Elizabeth to order.

**The Hon. R.B. SUCH:** The Hon. Rob Lucas is the Minister responsible for DECS, so it is appropriate that he provides the full answer. I can say that the process of rationalising the provision of schools has been one that has been ongoing for many years. Under the previous Labor Government, many schools were closed. We are in the process of building many new schools and also upgrading existing schools through back-to-school grants and other measures. If members look at the process that has been occurring under this Government, they will see that the school children of this State will have better facilities than they ever had under the previous Government.

## SA WATER

**Mr BRINDAL (Unley):** My question is directed to the Minister for Industry, Manufacturing, Small Business and Regional Development.

**Mr Quirke:** How did you get on the list?

**Mr BRINDAL:** I don't know—ask the Whip.

*Mr Quirke interjecting:*

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

*Members interjecting:*

**The SPEAKER:** Order! There are too many interjections. The member for Unley has the call.

**Mr BRINDAL:** A report in today's media claims that SA Water's financial position has deteriorated despite the fact that the Minister claimed in this House yesterday that SA Water had recorded a highly successful year.

*Mr Atkinson interjecting:*

**Mr BRINDAL:** Can the Minister explain this apparent anomaly? You are a fool, Michael.

**The SPEAKER:** Order! The member for Unley is completely out of order in making those comments across the Chamber.

*Members interjecting:*

**The SPEAKER:** When the House comes to order, we will proceed. If members wish to show themselves up in such a way, I suggest they continue with this bad behaviour. The honourable Minister for Infrastructure.

**The Hon. J.W. OLSEN:** The member for Hart is not a bad sort of chap, but he just cannot bring himself to acknow-

ledge that a Government business enterprise like SA Water has started to really achieve and get some runs on the board. Despite the fact that he is not a bad chap, he just cannot bring himself to concede that point. So what does he do? He scurries through the reports (having seen a very accurate headline about a \$120 million turnaround, profit organisation, better quality of water, better provision of service to South Australians, building an export industry, creating hundreds of jobs in South Australia and at the same time saving \$1 million a year in the provision of services in this State) to try to find something over which he can put a question mark. He said that there was a \$3 million turnaround, but he forgot that last year was the first year involving the payment of income tax equivalent to Treasury, and that happened to be about \$12 million.

He left that out of the equation because, as members know, the member for Hart would not let the facts get in the way of a good story. So, he ignored the reality of that situation and got a good punchline—and I have no doubt that he did a bit of radio today to follow it up on the basis that at least he got a bit of run out of it. The simple fact is that that Government business enterprise is out-performing Government business enterprises around Australia and would be the best water authority in Australia in terms of performance.

*Mr Foley interjecting:*

**The Hon. J.W. OLSEN:** The World Bank wanted to have a look at what it has done, so that is not a bad recommendation. I am glad that the member for Hart interjected to remind me about the World Bank's interest in the model that has been put in place. I think that details of the annual report ought to be drawn to the attention of the House. Irrigation and drainage have been taken out; they have now gone to private sector management, so it no longer involves a Government managed board, and that would impact against the organisation's revenue flow. In addition, there have been reduced sales and reduced subdivision, as we know, in the housing industry which created a \$25 million downturn in revenue. Despite that \$25 million downturn in revenue through other factors outside SA Water's control, it got its operating expenses down \$22 million in the same financial year.

So, let us not have this nonsense from the member for Hart. For a change, let us give credit where credit is due. It is a Government business enterprise that is delivering for South Australians a better quality water than they had previously, as well as response times from the employees of United Water better than any previous benchmark of SA Water. It is costing \$1 million a month less to provide the service to South Australians than it cost previously. In addition, the organisation has issued orders to date for \$30 million worth of export orders against the benchmark of \$9 million, and that is not a bad track record.

I would appeal to the good nature of the member for Hart at least to be big enough to concede that this is one GBE that has met what the Premier was talking about—outsourcing, operation and maintenance in the best interests of every South Australian.

#### FINDON PRIMARY SCHOOL

**The Hon. M.D. RANN (Leader of the Opposition):** My question is directed to the Premier. Why did the Government of South Australia ask the parents of children attending Findon Primary School to prepare a submission on future options for the school when the Minister had already decided

to close the school? Following a public meeting on 21 August—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:**—the school council paid the consultants, Hassell & Partners, to assist them to prepare a submission supporting the redevelopment of the school. Just 12 days prior to that meeting, the Minister for Education told his department that public consultation would only result in support for the redevelopment of the school and wrote, 'Can't a decision be made on the basis of the review recommendation to close the school?'

**The Hon. R.B. SUCH:** I find it strange that the Leader of the Opposition is asking a question in this Chamber when the shadow Minister is in the same Chamber as the Minister responsible for schools.

*Members interjecting:*

**The SPEAKER:** Order! I want the Deputy Leader not to make another interjection or he will not be here for the rest of the day.

**The Hon. R.B. SUCH:** Once again, my reply is that I will raise this matter with the Hon. Rob Lucas, but we need to be very careful of any assertion made by the Leader of the Opposition.

#### MURRAY RIVER

**Mr ANDREW (Chaffey):** Will the Minister for the Environment and Natural Resources tell the House what impact the current lowering of water levels in the Hume Dam will have upon South Australia? The level of the Hume Dam is currently being lowered by releasing 85 000 megalitres a day to allow for redemption work to be undertaken on the structure. I have been approached by a number of people and organisations in my electorate who have expressed concern about the amount of water being released, particularly if it impacts on future irrigation availability and allocation. Will the Minister update the House on this situation?

**The Hon. D.C. WOTTON:** I thank the member for Chaffey for what is an important question, because the Hume Dam in New South Wales is one of four major storage facilities under the Murray-Darling Basin Commission and each year supplies about 3.5 million megalitres of water downstream, much of which comes into South Australia. As such, the Hume Dam plays a very key role in supplying this State with a significant portion of South Australia's entitlement flow.

In late August, a section of the dam wall shifted some five millimetres. While we have been assured by the Murray-Darling Basin Commission that the wall is safe, the release of water has been undertaken to ease pressure on the wall and to allow corrective work to be undertaken to maintain the wall's long-term integrity. The release of this water poses a number of impacts on South Australia, some of which have been referred to by the member for Chaffey.

First, the release of some 85 000 megalitres each day will mean that the period of high river level, as water passes through South Australia later next month and in early December, is likely to be prolonged by two to three weeks. This is likely to cause extended flooding in areas normally affected by natural high river levels, such as the Loxton Caravan Park and shacks in lower lying areas.

On the issue of water allocation to irrigators, I have been told that there will be no reduction to the State's entitlement flow in the 1997 irrigation season. Further, it is unlikely that

there will be any reduction in entitlement flows in subsequent years unless we are hit by extreme and abnormally dry conditions. Environmentally, the release of additional water, particularly while much of the Murray River and its tributaries are in flood, can provide some benefit to this State. For example, the extended period of high river flows will help dilute salinity and flush the system while improving the health of natural flood plains.

The Murray-Darlington Basin Commission has established a hotline to handle inquiries and has undertaken to provide continual updates on the extent and duration of high river levels across New South Wales, Victoria and South Australia. This incident serves to reinforce how much South Australians, South Australian industry and our horticultural industry depend on the Murray River. We are vulnerable to any extraordinary occurrence upstream.

The problem has been compounded by the current loss of the Lake Victoria storage. This storage is currently being kept at a reduced level while negotiations continue over the protection of archaeological sites discovered during maintenance work. There is now significant pressure on New South Wales to achieve a speedy resolution to the continued operation of Lake Victoria and, again, as members would realise, that is imperative to South Australia. This pressure will continue to increase as a result of the unanticipated release of water from the Hume Dam, water that could otherwise be stored at Lake Victoria.

Finally, water upon which this State depends is currently being lost, which again reinforces the need for sustainable water management in this State and beyond.

#### WOODVILLE PRIMARY SCHOOL

**Mr ATKINSON (Spence):** My question is directed to the Minister for Employment, Training and Further Education. Will a special allocation of funds be made this year to upgrade Woodville Primary School and provide for the additional 100 students expected to attend the school in 1997 as a result of the closure of Findon Primary School? A minute to the Minister for Education and Children's Services obtained under the Freedom of Information Act reveals that the number of children attending Woodville Primary School is already at that school's maximum capacity of 600. The report says that the closure of Findon Primary will result in a further 100 children enrolling at Woodville Primary School and that six secondhand portable classrooms will have to be moved on site before 1997 at a cost exceeding \$100 000. The report also says that \$2 million will be required to upgrade Woodville Primary School.

**The Hon. R.B. SUCH:** I thank the member for Spence for his dorothy dixer, because the Minister in another place has been able to provide me with some detailed information relating to the review of what is called the mid west cluster of schools. That review was conducted in 1995 and 1996 and covers the schools of Allenby Gardens, Findon, Seaton Park and Woodville Primary. All cluster schools were represented on the review group, which included all principals, two parents—elected by members of all school councils—and a SAIT representative. The review was very comprehensive and involved an extensive consultation process with members of all school communities. It served as a critical resource in determining the necessary decision that will ensure the continuation of education that is both educationally and economically viable for current and future students in the area.

The Minister has accepted a recommendation from the review group to close Findon Primary School at the end of 1996. During a visit to the school on 18 September the Minister was urged by representatives of the school community to make a decision by the end of term three. SAIT also made a similar request. The review group's report highlighted the long-term significant decline in enrolments at Findon from almost 500 in 1977 to only 174 this year, with little prospect for growth in the future.

*Mr Atkinson interjecting:*

**The Hon. R.B. SUCH:** I am coming to the point. The report also expressed concern at the poor quality teaching accommodation at Findon and the need to ensure that students have access to facilities that will more effectively support learning programs. The Minister has indicated that all of the proceeds from the sale of the site will be spent on facility improvements in western suburbs schools. In particular, a majority of the funds will be spent on facility improvements in schools including Woodville and Flinders Park Primary Schools. It is expected that the majority of students will transfer to Woodville and Flinders Park, with smaller numbers to Kidman Park, Seaton Park, Allenby Gardens, Grange and Kilkenny.

The Minister has requested the Chief Executive of DECS to establish a small management group to manage the school closure and to prepare an implementation plan which sensitively considers the school's closure and minimises any negative educational effects that could occur for current students of the school. Current resourcing levels will be maintained to ensure that the current educational programs continue throughout 1996. The Minister responsible, the Hon. Rob Lucas, has guaranteed that the funds from the sale of Findon will go to additional resources at the schools of concern to the member for Spence, including the school at Woodville.

#### TRADE MISSION, INDONESIA

**Mr CAUDELL (Mitchell):** Will the Minister for Industry, Manufacturing, Small Business and Regional Development report to the House some of the outcomes of his recent trade mission to Indonesia, particularly the recent success of an information technology company?

**The Hon. J.W. OLSEN:** As the Premier advised the House yesterday, the Government's endeavours to take trade missions overseas are proving to be substantially successful. The 48 companies that accompanied the South Australian Government to Jakarta, Indonesia, last week covered the automotive industry and a whole range of other technology based industries. The trade mission was highly successful. Those 48 companies had about 210 appointments for business matching sessions coordinated by the South Australian Government office in Jakarta. This meant that they were able to put in place arrangements for further business enterprises in the future. All in all, it was an outstandingly successful enterprise.

In addition, the Government has entered into discussions with the Government of West Java about what trade and business opportunities might be available there in the near future. In addition, a trade mission will come from one of the regions to South Australia in the first week of November with about 15 to 20 business representatives who will look at business opportunities out of South Australia. The discussions also covered the arts and sport as well as trade and clearly indicated opportunities that can arise. In the sports

area arrangements were made for one of the Olympic teams to do its pre-training in South Australia prior to going to the Olympics.

The capacity of the arts in South Australia was clearly put to the Indonesian authorities. Ninety per cent of the stage sets for productions around Australia are produced here, and recent international success indicates that South Australia is the home for sports, art, manufacturing and other trade in goods and services. It is a pre-eminent place in which to do business in the future. The consistent efforts of the South Australian Government in providing some 250 companies with access to the international market place is why export figures in South Australia—running on the back of seasonal conditions, admittedly and acknowledged—are proving to be of substantial benefit.

One contract recently announced relates to the Australian Information Technology Engineering Centre (AITEC), based at Technology Park. It is chalking up another success story by creating jobs and export income for South Australia. It has just won a major contract to supply telecommunications and training to the Indonesian telecommunications industry, including the current carrier PT Telkom and a new carrier PT Pramindo. Further, 15 Indonesian employees arrived in Adelaide last week to take part in a 13 month course which will cover three stages: industrial work experience, English language training and academic study. The Technology Park company is winning world recognition as a further 200 students will undertake similar courses in the next five years.

The value of the contract signed with the Indonesian human resources company is likely to provide a possible income to AITEC of some \$10 million. That is the third major international contract it has won in the past 12 months. AITEC, based at Technology Park, is at the forefront of some new and exciting developments. Congratulations are due to the company and its Managing Director, Peter Hamilton, for grasping the opportunity, creating jobs and remarketing and repositioning South Australia and Adelaide as a sophisticated manufacturing society with research and development, and technology and educational institutions equal to none in Australia and internationally.

#### MATTER OF PRIVILEGE

**Mr ATKINSON (Spence):** Mr Speaker, my question is directed to you. In your role as protector of the rights and privileges of members of the House, will you investigate a written threat made against the members for Mitchell and Davenport by the Presiding Member of the Economic and Finance Committee?

**The Hon. S.J. BAKER:** Mr Speaker, I rise on a point of order. The question is totally out of order. If a member has a complaint, they should raise it on their own behalf.

**The SPEAKER:** Order! The Chair upholds the point of order. If any member of the House believes that they have been aggrieved, it is a matter for them to take up and it would then most likely be dealt with as a matter of privilege. There are mechanisms in the House and in Standing Orders to deal with matters of privilege.

#### PATAWALONGA

**Mr LEGGETT (Hanson):** Now that the initial dredging of the Patawalonga has been completed, will the Minister for Housing, Urban Development and Local Government

Relations inform the House about the next stage of development of the Glenelg foreshore and the safe harbour project?

**The Hon. E.S. ASHENDEN:** I thank the honourable member for his question and for his ongoing interest in the clean up of the Patawalonga. As members would know, this Government has spent considerable funds in ensuring that the Patawalonga is a clean waterway. I am delighted to say that the dredge which has done such effective work in the Patawalonga has now completed its work and today is being lifted by a crane from the Patawalonga into the mouth of the Patawalonga, preparatory to deepening the channel to enable work to be undertaken to create a safe harbour for the fast ferry to Kangaroo Island. The crane, which will be operating to lift the dredge, started at 10 o'clock this morning.

As I said, this will lead to the first stage of the development of that safe harbour project. Once the dredge has been shifted from its position in the basin, the dredging will commence at the mouth of the Patawalonga, creating a channel 3.5 metres deep at low tide. This will provide a safe entrance for the fast ferry at all times and, at the same time, safe and easy access and egress for other pleasure vessels and the Sea Rescue Squadron. Boulderstone Hornibrook, which has been chosen by the State Government to manage the project, aims to completely remove the hazardous Glenelg sandbar in the development of the safe harbour facilities. At the same time others works will be undertaken in this area, including an extension to the southern breakwater, the creation of a separate breakwater to the north, the preparation of a sand trap adjacent to the mouth of the Patawalonga and the installation of a sand bypassing pipeline as part of the State Government's \$7 million contribution to development costs.

*Members interjecting:*

**The Hon. E.S. ASHENDEN:** It is interesting to note that members opposite are not in the least interested in this. I guess they are hanging their heads in shame. For years the Opposition said it would do this—it did nothing. This Government is putting its money where its mouth is.

#### LEIGH CREEK COAL RAIL FREIGHT SERVICE

**Mr FOLEY (Hart):** My question is directed to the Minister for Infrastructure. Does ETSA, or the Government, intend to buy the Leigh Creek to Port Augusta rail line or will it allow this monopoly to be sold off to interests outside South Australia? In a ministerial statement of 27 September 1995, the Minister for Infrastructure said that he favoured 'the transfer of the single customer line to South Australia so that ETSA can get on with its job of providing the State with electricity at competitive rates'. The Brew report has since recommended that the Commonwealth Minister for Transport negotiate the transfer to the South Australian Government, or ETSA, of the Leigh Creek to Port Augusta coal freight line and, in the event that the South Australian Government or ETSA do not wish to acquire the line, that it be offered to commercial interests.

**The Hon. J.W. OLSEN:** The position put down in the ministerial statement some time ago is predominantly the position being pursued on behalf of the Electricity Trust of South Australia, and we will continue to pursue that. The monopoly type rents charged by AN drew no credit to AN, and the subsequent Brew report put no credit on AN and the National Rail Corporation in respect of how they were operating around Australia in the course of the past year or so. As it relates to that line, the South Australian Government

is conducting negotiations and discussions with the Commonwealth Government concerning the outcome of the Brew report.

I am interested to learn that the honourable member has a copy of the Brew report because I do not. We are waiting upon details, documentation and information from the Commonwealth and some decisions to be made by the Commonwealth upon which South Australia will then be able to position itself. I assure the honourable member that the rail link and the importance of the Port Augusta power generating plant will be foremost in my mind as Minister for Infrastructure to get the right deal for the Electricity Trust of South Australia and a competitive transport link between Leigh Creek and Port Augusta to ensure we protect the generating jobs in ETSA in South Australia in continuing as a Government business enterprise now and into the future. I am sure the outcome will be in the interests of the Electricity Trust and, importantly, all consumers of power in South Australia.

#### PARENTING SA

**Mr SCALZI (Hartley):** Will the Minister for Family and Community Services inform the House of the reasons behind the new \$500 000 Parenting SA campaign, who it will target and what it sets out to achieve?

**The Hon. D.C. WOTTON:** I am very pleased to inform the member for Hartley and members of the House regarding the Parenting SA campaign which was launched on the weekend. I am particularly pleased because I see this campaign as one of the most significant efforts undertaken by any Government in this State to help strengthen the role of parenting and promote the care and well-being of families and children in this State. The Office for Families has been overwhelmed by the public response to this program. It has been asked by numerous people for copies of parents' information kits and for ways to become involved. Parenting SA is a multi-pronged across Government campaign aimed at parents from all social and economic backgrounds. The first component is a television campaign, which is currently running on channels 7, 9 and 10, to promote realistic and strong parenting messages.

The campaign also involves the relaunch of the parent help line which is available seven days a week, 24 hours a day with a new free call number to help provide advice and directions to parents and families seeking assistance. Additionally, information kits on some 48 topics have been prepared for distribution to parents throughout 100 outlets, including supermarkets, chemists and doctors' surgeries on everyday subjects such as coping with newborns right through to issues about adolescents and drugs. Another component is the establishment of a small grant system to help fund community organisations, and some \$100 000 has been made available for that purpose. Parenting SA also includes the launch of workplace parenting forums, which acknowledges the fact that many of today's parents need to carefully balance work and family commitments, and I am delighted that we are now going into the workplace to provide that assistance.

In conclusion, the research we have carried out shows clearly that many parents at some stage feel ill-equipped in handling the complexity of parenting issues. This program represents a significant effort on behalf of this Government to boost, care and assist parents in this State. Additionally, it acts on a number of recommendations of a recent report I called for on options for preventing child abuse and maltreat-

ment. With a substantial number of child abuse allegations relating more to parenting skills than actual abuse, this program will specifically target all parents throughout the State by providing assistance and advice on how parents can do their best. It is a program which I support very strongly.

#### BRIDGESTONE EDWARDSTOWN PLANT

**Mr CLARKE (Deputy Leader of the Opposition):** My question is directed to the Minister for the Environment and Natural Resources. Why did Bridgestone fail to report for two years the spill of toxic chemicals at its Edwardstown factory, and what resources are available to the Environment Protection Authority to ensure that such breaches of the Act are readily detected in a timely fashion?

**The Hon. D.C. WOTTON:** I would have thought that the ministerial statement that I made earlier made most of the points raised by the Deputy Leader very clear. It is not up to me or the EPA to say why Bridgestone did not report before September this year. I am informed that the EPA was notified of this issue for the first time in September this year. The EPA acted very quickly in regard to this matter. First, it initiated action by introducing an information discovery order. As I said in the ministerial statement, the purpose of that order was to have the company provide information to enable the EPA to carry out its investigations. Secondly, it brought down an environment protection order, and I gave full details in my ministerial statement as to the reasons why that order was brought down.

I also made it very clear that the matter is currently before the office of the EPA and will be taken before the authority at its next meeting later this month. As far as resources for the EPA are concerned, this is about the third or fourth time the Deputy Leader of the Opposition has raised the matter. I remind the Deputy Leader that the resources are exactly the same as, in fact slightly improved over, those proposed by the previous Government in the establishment of the EPA. So, we should not let the Deputy Leader of the Opposition continue to go on about the resources that are provided to the EPA. The EPA is working well. It has an important responsibility in this State, and I believe that its resources are adequate for the work it must carry out, which is an important responsibility in South Australia.

#### BUILDING MAINTENANCE OUTSOURCING

**Mr ROSSI (Lee):** Will the Minister for State Government Services provide details of the work being undertaken to outsource the Government's building maintenance and minor works areas and the expected benefits?

**The Hon. W.A. MATTHEW:** I thank the member for Lee for his question. As I have said on many occasions in this House, the member for Lee continues to demonstrate a strong interest in the more efficient and cost effective delivery of Government services. The present cost to the Government of this type of work is about \$50 million per annum, some \$38 million of which is spent on the management and maintenance of buildings in the Adelaide metropolitan area. The Government has undertaken an investigation of this work utilising the consultancies of Ernst Young and also Gutteridge, Haskins and Davey. These consultants have identified potential significant long-term benefits to the Government and the South Australian taxpayer from the packaging of building maintenance and minor works for competitive tendering. They have identified potential cost



savings of at least 10 per cent and improved service delivery opportunities. Obviously, the best way to determine the potential for such savings is to benchmark this work by putting the private sector to the test. This will be done in a two stage process, the first of which will involve the public calling of expressions of interest from the private sector, and that calling will occur within the next few weeks.

A small number of large cross agency contracted packages for building maintenance and minor works in the vicinity of \$5 million to \$10 million each is presently being identified. The bottom line is that, if the private sector expressions of interest do not demonstrate the potential for a significant level of savings and improved service delivery, that outsourcing will not take place. However, a similar exercise presently under way in Western Australia has demonstrated significant cost saving potential as well as significant improvements in service delivery. The staff presently undertaking this work have been kept fully informed of all developments over recent months, and detailed briefings were provided to them on 24 September and again on 3 October this year. Curiously, on the day of the last briefing, the Australian Democrats released quite a bizarre press statement claiming that secret negotiations were under way—the usual Australian Democrat cloak and dagger claims.

*Mr Brindal interjecting:*

**The Hon. W.A. MATTHEW:** As the member for Unley indicates, the Australian Democrat claims usually fall into that category. They claimed that there was an outsourcing of some half a billion dollars of work. Clearly, the reality is quite different. The outsourcing is being negotiated carefully, staff are being informed of all developments, and I look forward to providing the House with further progress reports on this matter.

#### MATTER OF PRIVILEGE

**Mr ATKINSON (Spence):** I rise on a matter of privilege. The Opposition has received a fax on the letterhead of the Chairman of the Economic and Finance Committee and member for Peake which bears the honourable member's signature and which is addressed to the member for Mitchell. It states:

It is common courtesy and decency to let your own colleagues (if there are any) know you are releasing a press release affecting their electorate. Public works handling of Hindmarsh soccer stadium issue relating to local MP leaves a lot to be desired. I have to field the complaints. . . Revenge will be sweet—I'm not up for re-election! . . .

It is signed, 'Heini. . . A politician for the people.' It seems to me that this raises a matter of privilege—

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Premier.

**The Hon. S.J. BAKER:** I rise on—

*Members interjecting:*

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

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

*Members interjecting:*

**The SPEAKER:** Order! The conduct of the House today has been less than the public would expect. The Chair has been debating whether to see the Deputy Premier move for an extension of Question Time. It is obvious that, if members continue tomorrow, there will not be an extension of Question Time, and the Chair will exercise its right in relation to the Grievance Debate if members do not want to address

themselves to constructive issues. The Deputy Premier has a point of order.

**The Hon. S.J. BAKER:** Yes, Sir: my point of order is that this matter was put up as a question and now it is being put up as a matter of privilege. It has nothing to do with this member. A procedure is laid down in this House for addressing those questions.

*Members interjecting:*

**The SPEAKER:** Order! The Chair cannot uphold the Deputy Premier's point of order. The honourable member asked a question, which was out of order; the honourable member is now adopting the procedure which is laid down in the Standing Orders. The member for Spence.

**Mr ATKINSON:** Thank you, Sir. So, the Opposition contends that an unlawful threat by one member of the House against another member of the House is of concern to the whole House. It is not a matter for the member threatened to raise the matter: it is for any member of the House to raise the question. So, in your role as the protector of rights and privileges of the members of the House, I ask you to investigate this written threat by one member against another.

**The SPEAKER:** If the honourable member provides the Chair with any evidence which he or any member has in relation to this matter, the Chair will consider the matter raised by the honourable member and give a ruling after that consideration.

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#### GRIEVANCE DEBATE

**The SPEAKER:** The question before the Chair is that the House note grievances. The Deputy Leader of the Opposition.

**Mr CLARKE (Deputy Leader of the Opposition):** It is very interesting that, as the member for Playford rightly points out, this is another broken promise. When it won its record majority at the last election, the Government promised the Opposition that we would get 10 questions per Question Time, but this Deputy Premier, the Rhett Butler of this House (given his 'I do not give a damn' speech yesterday), does not give a damn about this Government's core promises when it comes down to making this Government accountable and transparent to the people of South Australia. Because of this Government's own internal factional fights and schisms, this Deputy Premier is not prepared to allow a further two questions from the Opposition. Members opposite know that, in their own mean, spiteful way, they want to try to pay back the Opposition for having the temerity to raise this issue of the bun fight that exists within the Liberal Party between the member for Coles and her close ally, the member for Peake, and their arch enemies within the Liberal Party, namely, the members for Davenport and Mitchell.

*Members interjecting:*

**Mr CLARKE:** There is not a difficulty.

**The SPEAKER:** Order! The Minister is out of order.

**Mr CLARKE:** The member for Playford and I are allies 100 per cent of the way in destroying the Brown Government. The interesting point is that we in the Labor Party may have differences, but we sort them out and we do not go around creeping up the stairwells, talking to all the journalists, going to see members of the Opposition Party asking, 'Can you put this embarrassing question before the House to try to

embarrass our factional enemies within our Party?' This is what happens within the Liberal Party on a daily basis. We look forward to every sitting week because, by 12.30 every Tuesday, we have at least half the Parliamentary Liberal Party in our office letting us know, blow by blow, about—

**Mr BRINDAL:** I rise on a point of order, Mr Speaker. I believe it is incorrect to impute improper motives to members of this House other than by substantive motion, and the member opposite is doing just that.

**The SPEAKER:** Order! To which member is the honourable member imputing improper motives?

**Mr BRINDAL:** 'At least half the Liberal Party' were his words, Sir.

**The SPEAKER:** Order! The Chair's attention was taken at that time. The Deputy Leader is well aware of the Standing Order prohibiting him from imputing improper motives. I ask him not to do so again.

**Mr CLARKE:** The only motives I apply to members of the Liberal Party are their own greed and ambition and their petty hatred of certain people who are in offices of power that they believe they should occupy. That is the reality as far as the Liberal Party and this Government is concerned. What the Opposition has called for consistently for the past 3½ years is: why do not John Olsen and Dean Brown sort it out? Let them bring on a vote so that this Government can get on with governing the State rather than this constant sniping, carping one-upmanship. The Minister for Infrastructure cannot even get his photograph on a Government CD Rom. There is only a question mark where there should be a photograph of the Minister for Infrastructure.

I am appalled that the Premier can be so terrorised by the Minister for Infrastructure that even on Government leaflets or Government CD Roms and the like the Minister for Infrastructure is a grey man. It would almost appear that there is an invisible Minister for Infrastructure when it comes to the Premier. I think that is harmful to this State, because we constantly have a Party racked with turmoil. I get fed up as does the Leader of the Opposition with getting telephone calls every day and every night from disgruntled backbenchers of the Liberal Party—and not just backbenchers but Ministers as well.

*Members interjecting:*

**The SPEAKER:** Order! The House will come to order. The Chair points out to a number of members that they have continued to strain the tolerance and good nature of the Chair. If they think that they can continue to get away with that course of action, the Chair can adopt the process which Speaker Trainer adopted and which I know members opposite supported when in government. They will then be fully aware of how the Standing Orders can be applied rigidly. The Chair has attempted to be tolerant and to allow free flow across the House. It appears to me that members have not appreciated it; therefore, a new tactic will be applied. The member for Peake.

**Mr BECKER (Peake):** I wish to speak on two matters. First, I want to say that I have never heard such a disgusting and disgraceful performance by any Opposition let alone some stool pigeon in relation to a personal note—

*Mr Clarke interjecting:*

**The SPEAKER:** Order! I name the Deputy Leader of the Opposition. The Chair has just addressed the House. I ask the Deputy Leader whether he wishes to be heard in explanation or apology.

**Mr CLARKE:** Yes, Mr Speaker. If in my over-exuberance I have transgressed, I apologise unreservedly.

**The SPEAKER:** In view of the tolerance that the Chair has indicated today, I am prepared to accept the apology. I say to the Deputy Leader of the Opposition and other members that that tolerance will not be shown any further. The member for Peake.

**Mr BECKER:** Regarding the article referred to and the personal note that I sent to my colleague Colin Caudell, the article in particular is highly defamatory of me. I have obtained a legal opinion, and it has been suggested that I pursue legal action. I take the action here today of trying to head off the costs that would be awarded to me. I think that is absolutely disgraceful.

The other point that I want to raise is that, on opening day, ABC reporter and journalist Vicki Thomson reported to Murray Nicoll the procedure of the opening of Parliament. Several members were named jokingly as having been either asleep or resting their eyelids during the Governor's opening speech. Thomson admitted that she had received a copy of the speech before we did, and she spent the time looking around the Chamber.

I have spoken to several members who were mentioned in this interview, and they all deny, as do I, that they had been sleeping during the Governor's opening speech. I have an eye condition. Unfortunately, I had a cataract removed and the operation was unsuccessful: the surgeon shattered the lens and pierced the retina, and I must wear a contact lens as well as very thick, specially honed glasses. Because I have to wear contact lenses in the air-conditioning in this place, on occasions I have to take my glasses off. I feel as though I have grit in my eye. I need to close my eye for 30 or 60 seconds to get some moisture back into it. To assume I was asleep was wrong and totally irresponsible of this journalist who in my opinion was stargazing around the Chamber looking for something to report. Not only I was named. As Thomson said:

Peter Lewis [the member for Ridley] was dozing, although he does that a lot. Dorothy Kotz [the member for Newland] was resting her eyes.

As we all know, the phrase 'resting your eyes' intimates that you are asleep. Nicoll goes on to say:

He does that a lot when he's awake. [laugh]

He is referring to the member for Ridley. The interview continues:

Thomson: [laugh] Joe Scalzi [Hartley] was dozing.

Nicoll: [laugh] Right.

Thomson: Robin Geraghty [the member for Torrens] was resting her eyes. . . Robin Millhouse, the Supreme Court judge, was resting. . . resting. . . he was dozing.

Nicoll: [laugh]

Thomson: Angus Redford [MLC] was whispering to John Meier [the member for Goyder].

John Meier tells me that he was not sitting anywhere near Angus Redford. It goes on:

And Mike Elliott. . . I'm not sure if he was actually dozing or just paying a lot of. . . an inordinate amount of attention to his shoes, but he was. . .

Nicoll: [laugh].

Thomson: His head was down.

Nicoll: How many is that?

Thomson: So that's. . . let me look, one, two, three, four, five, six, seven, eight, nine.

So, the rest were sort of. . . I must say Joan Hall was very attentive. There were quite a few attentive people. And then I couldn't see the Cabinet because they are actually coming into the. . . because we were in the Upper House, which is very small, and

you've got all the members of the Upper and Lower House, you've got all. . . representatives of the armed forces, you've got the judges, so you can imagine it's quite packed. The Cabinet sits behind where the Speaker would sit, where in this case the Governor's doing his speech. So the only people I could see was sort of Wayne Matthew, if I bent over really. . . over the edge [laugh] and. . . and that was it. So the pomp and ceremony out of the way, and they go off and have lunch, as they traditionally do, and then. . . the real work of Government gets under way.

That is a terrible indictment of members by a reporter who I consider was wrong. It was irresponsible reporting.

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

**Ms STEVENS (Elizabeth):** I would like to spend a few minutes this afternoon talking about a very successful program at the Fremont-Elizabeth City High School in my electorate. I refer to the school's involvement in the 1996 Pedal Prix. *Freebie 2*, which was the name of the vehicle, was designed and put together by students from years 8, 9 and 10 at the Fremont-Elizabeth City High School, an enthusiastic bunch of students, together with their teacher Mr Wayne Reynolds. *Freebie 2* lived up to its name as a freebie, because *Freebie 2* consisted originally of a collection of recycled materials from old bicycles, scrap metal and alloys, with timber seating and electrical equipment, lights, warning devices, brakes and so on made up by the students.

These students, together with their teacher, over some weeks, put *Freebie 2* together as part of their curriculum. It was an excellent part of their curriculum, because it enabled those young people to have a project, to work together as a team and to see that project come to fruition when they actually participated successfully in the Pedal Prix. The car lasted the full 24 hours and good old *Freebie*, made from all those recycled materials, stood the distance, and the students also stood the distance and managed the 24 hours without stopping and without a breakdown.

I would like to pay tribute to the school, the students and also to the parents and others who contributed to that successful outcome. I will mention them by name: a dedicated and caring teacher, Mr Wayne Reynolds; team manager, Daniel Corigliano; other members, Ben Hedley, Shaun Usher, Scott Christie, Phillip Hollis and Ashley Ryding; the pit crew, Derrick Farrell and Daniel Thomas; the general assistant, Anthony Pepe; the support staff, June and John Ainsworth; and the parent helpers, Geoff and Lyn Ray. I would like to congratulate them all. This project at Fremont-Elizabeth City High School has been a very successful one, and I look forward to seeing what *Freebie 3* will bring us next year.

The second project that I would like to mention today is a project in the Elizabeth-Salisbury area that has involved schools and senior secondary school students with a four-week work placement at Holden's at Elizabeth. Known as the Holden's Schools Project, it is one of more than 200 programs initiated by the Australian Student Training Foundation. Fremont-Elizabeth City High School participated with other schools in the area: Parafield Gardens High School, Paralowie R to 12, Craigmore High School, Smithfield and the Para West Adult Campus. Again, in the four-week placement, students had the opportunity to do the first three days in a classroom situation at Holden's, and then for the rest of their time they were assigned to various activities where they were able to see first-hand what the car plant was like and the range of job and career opportunities available in the automotive industry. I would like to congratulate those schools in my area and surrounding areas for their

involvement. Innovative things are being done for young people in terms of school to work transition. I would also like to congratulate General Motors-Holden's for its involvement in and partnership with schools to provide opportunities for our young people in the future.

**Mrs KOTZ (Newland):** I wish to address a matter that is exceedingly important within not only the State but also the individual electorates members of Parliament represent. I refer to the State Emergency Services. Those connected with this organisation are quite often the forgotten heroes in many of the real life dramas that take place in our community. The men and women volunteers who staff this important and invaluable service give us their time and professional expertise in situations that can be life threatening not only to the victims who are the focus of a rescue but to the individuals who are the rescuers, the men and women of the State emergency units. Only last week, I took the opportunity to tell the unit members of the Tea Tree Gully SES of the high regard in which they are held by members of the community, the Minister for Emergency Services (the Hon. Wayne Matthew) and by me. The Tea Tree Gully unit has been an exceptionally high performance unit over a number of years, culminating in past years in the attainment of the National State Emergency Service Championship Title, which that unit won in 1994.

Members of our local SES have demonstrated in past years that their skills are among those of the top elite and the most professional of all State Emergency Services teams in Australia. I was also pleased to announce to the Tea Tree Gully unit that the Government has doubled the subsidy funding to SES units on a matching basis with local government, and changes have been made to the funding mechanism to have regard for council amalgamations. Among SES volunteers and local government, there has been a concern that, because of the limit on the funds provided to any individual council in the past, amalgamated councils could be expected to fund more units with the same funding allocation. Similarly, units presently funded by more than one council have feared a reduction in Government funds. Of course, this is certainly not the case. The Minister's commitment to SES units has been emphasised by the increase in allocated funds: with allowances for inflation, the available subsidy funding has been increased from \$215 000 in 1995-96 to \$422 000 in 1996-97. In a significant change to the way in which funds are allocated, the funding system will be unit based rather than council based.

So, in effect, the subsidy funds will be reserved against each unit and, as the proposed council mergers take place, those funds will continue to be available to the unit through the relevant new councils, provided those councils are prepared to match the funds. Every SES unit in the State will have more funds available to it than it had in 1995-96, and all existing councils will have more funds allocated to units in their council areas than previously. The provision of the State Government subsidy is contingent upon local government authorities providing the Minister with an assurance that they will match the funds allocated by Government and, in the case of Tea Tree Gully council, I am pleased to say that the council's budget for Tea Tree Gully SES far exceeds the \$8 000 in matching funds. The Minister for Emergency Services has conveyed his recognition and appreciation of the substantial contribution Tea Tree Gully council makes to the funding of this important service.

The funding increasing to the Tea Tree Gully SES unit—indeed, to each of the 62 SES units in South Australia—confirms this Government's commitment to the SES and the integral role that the volunteers play in this State. I congratulate members of the Tea Tree Gully unit for their continued loyalty and dedication to their local community, and each and every one of them should be justifiably proud of the work they undertake—work which has been rewarded with a funding boost to their unit. I trust that all members will encourage, wherever they can, members of their community who may be looking for interesting and challenging volunteer work not to overlook the emergency services role, which is so very important to the State.

**Ms HURLEY (Napier):** I wish to speak today about the vexed issue of telecommunications cabling as the roll-out begins in Adelaide. There has been overwhelming support in our community for the cables to be put underground. The councils around Adelaide have been very vocal on this issue in defence of their local environment. I congratulate them on that stand, because that is what local government is all about—representing the views of their residents in their local environment. From surveys undertaken by a number of councils, it is apparent that the feeling of their residents is clear. In some of those councils, the residents are quite prepared to pay extra rates or an extra levy in order to preserve their environment as it stands. The South Australian Government has supported this stand to a limited extent citing, quite rightly, that it is principally a Federal Government issue. Indeed, it is in the Federal Government's jurisdiction.

However, I believe that now is the time to reassess this sort of situation and look at undergrounding in a new light. There has been an undergrounding process for powerlines to which a number of councils have contributed fairly heavily. Whilst slow, this process was acceptable until the threat was raised that overhead cables would dramatically increase the amount of visual overhead pollution. Councils both here and interstate quickly realised that their local environment would be affected by this.

I think it is time for the Federal and State Governments and the telecommunications companies to sit down with local government and work out a cost sharing arrangement, perhaps a staged arrangement, whereby undergrounding would proceed at a much faster pace than it has in the past. I believe that in Perth, for example, the schedules and timetables have been set for accelerated undergrounding. In that case, I believe that this is the State Government and local government organisations taking the initiative. However, this is very much a national issue that crosses council and local environmental boundaries.

We know that some areas are more concerned about it than others, and it is possible that, with all the parties sitting down together and talking about funding, we can get a priority list of areas that can be undergrounded and have powerlines and telecommunications lines undergrounded together. The defence of the telecommunications companies that they do not want to reveal their undergrounding schedule does not stand up in the face of the vociferous community opposition.

**Mr MEIER (Goyder):** I was extremely surprised this afternoon when the Deputy Leader stood up and accused the Government of not giving the Opposition its 10 questions. I find incredible the way the Opposition has misused Question

Time, first with respect to the types of questions that members opposite have asked on so many occasions. All members are well aware that Question Time is provided basically for the Opposition, enabling members opposite to question the Government on what it is doing and to question in the interests of South Australia.

So often the questions have had very little to do with the interests of South Australia. The Opposition simply seeks to create mischief or trouble, ignoring the better interests of the State when posing their questions. When members opposite do question the bigger issues, such as the water contract, what has their approach been? It has been continually negative.

We had another example today when the Minister demonstrated that the Opposition conveniently omitted the fact—it would not be forgetfulness because the member who asked the question actually was an adviser to the previous Premier, although maybe that explains some of the fiasco that occurred back then—that SA Water was due to pay \$12 million in taxes to the State Government. He tried to make an issue of that and, I believe, put out a press release, as well as going on radio, highlighting apparent problems involving SA Water. Thankfully, the Minister made very clear in relation to SA Water, and more importantly in relation to United Water, just what the true facts were.

The Deputy Leader was not here in the previous Parliament, but I can say that, as a member of the former Opposition with double the number of members that the current Opposition has, rarely were we able to ask more than seven questions a day. In fact, it was an exception if we got eight: we were absolutely delighted if we did get that many. Six or seven questions was not uncommon. Yet, this Government undertook to ensure that the Opposition could have 10 questions a day.

It is very disappointing that quite often the Opposition has waited until the tenth question to try to embarrass the Government so that it did not have a chance to respond in the normal manner. Of course, it has all been for the benefit of the television cameras, and questions asked by members opposite have been basically oriented towards the media for the evening television news. If I had my way, I would say that we should let the Opposition have the same number of questions as the number of alternate questions asked by Government members. That would be fair.

The Government has not only been fair but extremely generous to Opposition members, considering that there are only 11 of them. If real fairness were to apply, one could say that the Government is entitled to two or even three times the number of questions to which the Opposition is entitled but, as I said earlier, we recognise that Question Time is principally provided for the Opposition to probe on important matters—but not fictitious matters as has often been the case.

I would suggest that the Speaker was extremely generous today in accepting the explanation of the Deputy Leader for not being sent out, because he was named. It was very good of the Speaker to allow the Deputy Leader to continue. It is not surprising that the Deputy Leader comes from a union background. We heard the Premier identify earlier today that most of the Labor candidates for the various electorates at the next election have a union background.

The Labor Party is not advancing its cause as it could be. The people of South Australia would not benefit from a future Labor Government (although that is many years away), but it would certainly be a union dominated Government, and that is something that causes me great concern. I was very interested to read an article in the *Advertiser* on 10 October

stating that union membership, according to that newspaper, is in crisis, but I will have to bring up that matter on another occasion.

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

*A quorum having been formed:*

### MULTICULTURALISM AND ABORIGINAL RECONCILIATION

**The HON. DEAN BROWN (Minister for Multicultural and Ethnic Affairs):** I move:

That this House—

(a) affirms its support for policies relating to multiculturalism and Aboriginal reconciliation being based upon the principles of non-discrimination, racial harmony, tolerance and the Australian concept of a 'fair go' for all;

(b) recognises that South Australia is a multicultural society which places value on the significant contribution which continues to be made to the development of this State by all South Australians, irrespective of ethnic or racial background;

(c) reaffirms its support for the ongoing process of reconciliation and achieving a greater understanding between Australians of Aboriginal and non-Aboriginal background and recognises the special needs of the Aboriginal communities, especially in health and education; and

(d) calls for the conduct of public debate concerning multiculturalism and Aboriginal reconciliation to be undertaken according to these principles.

In moving this motion, I stress that Australia—the place that we all call home regardless of our background—is a place where we proudly say that all people have a fair go. Australia has been a country where we have said that regardless of your race, the colour of your skin or any other differentiating factor we are all on an equal basis. I would always want to see Australia, and particularly South Australia, live by those fundamental principles.

My reason for moving this motion today is to reaffirm those principles and for the community to clearly understand that the South Australian Government will stand by that, to ensure that we are a State of tolerance and a State where we regard all people to be of equal standing regardless of race or skin colour. Recent events have shown that we have some within our community who do not regard all people as equal. We should not be concerned that this means, therefore, that Australia is a racist country because, clearly, it is not. What it means, and what we must always be mindful of, is that there are some people in Australia (and elsewhere in the world, as well) who, if not checked by the rest of the community, will hijack important community debate to pursue their own political agenda.

Recent appraisals of funding for Aboriginal groups and future levels of immigration have been degraded into a debate centred around discrimination on the basis of skin colour and race, prejudice, ignorance and generalisation. In the process an appalling example has been set to our young South Australians and young Australians whose future lies in an increasingly globalised community and a world likely to operate very differently from the way it does today.

For that reason alone, those involved stand condemned. We owe it to those young people and we owe it to Australia to throw a very strong spotlight on these people to reveal their motives for what they are: racism in yet another guise and a

cynical pursuit of power driven by discrimination. Regrettably, these people achieve an undeserved amount of media space which unwittingly gives them a warped kind of credibility. Those who have more worthy causes for which they seek public support can only stand by and hang their heads in shame at what is occurring.

This highlights, again, that we should always stand ready to defend multiculturalism and Aboriginal reconciliation while acknowledging that neither will always be without some tension. It is important that we respect and value one another without qualification. Building upon that foundation, tensions and misunderstandings can be resolved with dignity and intelligence.

Both the Governor-General of Australia, Sir William Dean, and the Council for Aboriginal Reconciliation this year called upon all Governments to reaffirm their commitment to reconciliation. At the end of this year we will celebrate 160 years of white settlement in South Australia. It is now half a century since the end of the Second World War where migration laid down a very important foundation for the post war industrial growth and personal security of which all South Australians have been beneficiaries. These three facts alone make it critical today that we reaffirm our support for policies relating to Aboriginal reconciliation and multiculturalism being based upon the principles of non-discrimination, racial harmony, tolerance and the Australian concept of a 'fair go' for all.

This concept of a 'fair go' is not something we can use when we feel like it, a slogan to make us feel good when it is praised by other nations. A 'fair go' underpins our community relationships and is admired and envied around the world. There is no doubt that Australia needs to find solutions to the special needs of Aboriginal communities, especially in health and education. As I noted when I last spoke to the House on this issue, the strongest commitment to anti-discrimination, social justice and reconciliation between the wider community and indigenous Australians is important for the healthy growth of Australia, essential to meaningful celebrations of federation and crucial to the achievement of a truly lasting reconciliation in Australia.

The South Australian Government is prepared to honestly address past mistakes and has made a frank submission to the national inquiry into the separation of Aboriginal children from their families. I am confident of achieving reconciliation based on the respect to which I referred earlier. I have always found that any difficulty between people which is addressed on the basis of mutual respect will yield a lasting outcome. Australia also needs population growth, and it is essential that the policies relating to that growth be developed in a thoughtful, rational manner, just as they were after the Second World War.

I stress that I am in no way trying to decry anyone for debating how money is spent on various Aboriginal or community programs, nor am I trying to decry anyone for raising a legitimate debate about the level of immigration. However, I am arguing that, whilst that debate is quite legitimate, it must not be allowed to be debased and diverted into what is none other than a racist debate in an attempt to sling mud at various people's backgrounds, the colour of their skin and discriminate because of either the colour of their skin or the race from which they come. I want to make sure that it is clearly understood that I am in no way trying to infringe upon freedom of speech, but I am trying to make it very clear that we have some very fundamental principles as a Parliament, as the Government of South Australia and as

the people of South Australia and that we are putting down these principles so that all South Australians know exactly what they are.

As part of our commitment to multiculturalism in this State the Government, in consultation with the ethnic communities of this State and the South Australian Multicultural and Ethnic Affairs Commission, produced a Declaration of Principles for Multicultural South Australia. I know that all members have received a copy of the principles, because I sent it to them, and I have also sent out copies to all ethnic communities in South Australia. The document sets out the principles for multiculturalism in South Australia and sets out our commitment to achieve that and how we intend to do so. It clearly confirms that the South Australian Government believes that all members of the South Australian community should participate in and benefit equally from our democratic South Australian society and that we value the diversity of the knowledge, experience and skills which enhance South Australia's social, cultural and economic development.

I stress that point because I believe that South Australia has a very rich fabric in its community because of the diversity that we have. The one thing that has struck me, having recently visited southern Europe, is the fact that many of the tensions of Europe or other areas of the world, including Asia and even the Americas, do not exist here in South Australia or Australia. We should be proud that people have migrated from those countries to Australia and have been willing to abide by the principles that we have put down—in particular, the principle of tolerance. We must ensure that we act as Australians or South Australians first and do not allow some of the ethnic divisions which exist in other parts of the world to come to Australia.

I have been overseas and seen areas of the world where those divisions impact adversely on the lives of people; for example, for the past 22 years there has been a division line down the island of Cyprus which has been of enormous cost to that community. There has been an enormous waste of human effort simply in guarding that line, which has been there for 22 years virtually without movement. I believe the rest of the world stands condemned for failing to take action to resolve some of those sorts of disputes.

In South Australia we are now able to put behind us some of those divisions that ethnic communities have had elsewhere in the world and live as one community. I want to make sure that we uphold that situation, which is why I have moved this motion today. I also stress that people often come to South Australia from diverse backgrounds—many from non English speaking backgrounds—and contribute so much to our State. We need only look at some of the companies that have been created to see the initiative, drive and determination that has made them success stories for South Australia, while recognising that a high percentage of those success stories involve people from non English speaking or Aboriginal backgrounds. I refer to what has been achieved in industrial and artistic design and the way it has been so successfully used as part of the promotion of South Australia.

So, we do cherish and value that diverse background. I want to make sure that the people within those communities clearly understand that. This declaration of principles also reaffirms that it is the right of everyone to maintain his or her cultural heritage within the legal and social framework of this State and that we are committed to access equality for all South Australians and to the prevention of discrimination on the basis of race, ethnicity, religion, language and culture. The declaration, which is now available in 15 languages, also

plays an important role in promoting an understanding and appreciation of the benefits of our cultural diversity.

I also take this opportunity to urge Parliament to pass the Racial Vilification Bill, which I introduced earlier this year, as soon as possible. I believe that legislation will effectively start to stamp out any racial hatred that does occur or exist within the community. The celebrated diversity of our landscape is matched in equal measure with the diversity of our people. We are diverse in our origins and our aspirations, and yet our multicultural society lives in harmony. This creates a richness of heritage and produces an unselfish contribution to the home that we all call Australia.

**The Hon. M.D. RANN (Leader of the Opposition):** I am pleased to be able to support the Premier's remarks on this important debate about multiculturalism. Indeed, the other night the National Association of Ethnic Broadcasters held its national conference in South Australia and I was very pleased to be able to join Kim Beazley, Leader of the Federal Opposition, and Diana Laidlaw, Minister for the Arts in South Australia, in addressing that conference. It is an enormous achievement for this country of ours that we are the prosperous and peaceful home to people of so many different nationalities, religions and cultures. This fact alone should be a reason to celebrate multiculturalism, yet even now a vocal and noisy minority are attacking not only the achievements of multiculturalism but its foundation stone, which is migration. The benefits of multiculturalism to our community and our economy in South Australia and nationally are so great that you would think it is a policy that at this stage in the evolution of this nation did not require defending.

However, in this so-called new spirit of free speech and openness that is apparently flowing across the land, both multiculturalism and migration have been under sustained attack. It is interesting to see what this new regime of free speech has offered us: multiculturalism and native title have been under attack and everything seems to be negative and destructive. Where are the positive and constructive voices of nation building and hope? I guess that this new spirit of openness is not about that. The present attack on multiculturalism should be a great political lesson to all of us that we cannot take anything for granted. Today in this Parliament we find ourselves fighting to defend the good name and reputation of multiculturalism.

Attacking immigration is again surfacing as a vehicle for racists. It is racist in the way that there is largely complaint not about the level of immigration but about the origins of immigrants, which is why it is racist and abhorrent. We have seen it over the years. I have seen the attacks on British, Italian, Greek and Vietnamese migrants, and it goes on and on. It is part of the feeling of 'Let's blame someone else for our shortcomings.' Therefore, it is important that we as a Parliament say swiftly and categorically that racism is abhorrent.

I guess those of us in the South Australian Labor Party have a very strong commitment to the policy of multiculturalism. In many ways it was borne in South Australia. It was my predecessor, Don Dunstan, who moved to end the White Australia policy. It was the same Don Dunstan who campaigned for multiculturalism and for migrant and non-migrant Australians to celebrate diversity and differences. I was born in one country and raised in another country, as you were, Mr Deputy Speaker. I then emigrated to South Australia in the 1970s to work for Don Dunstan in a State that had an Aboriginal Governor and a Premier born in Fiji with a

Chinese wife from Malaysia. I chose to migrate to South Australia because a small State under strong leadership was developing and winning support for policies that were leading the nation and winning international acclaim. As Premier, Don Dunstan was not frightened of new ideas as long as they were underpinned by enduring Labor values of equal opportunity, fairness and social justice. Don Dunstan's policies of multiculturalism were later built upon by our Italian speaking Attorney-General, Chris Sumner, and Lynn Arnold (later a Labor Leader) who was born in South Africa and an expert on Spanish languages.

It was also important that we had in the Keating and Hawke Governments a national Government which never faltered in its embrace of multiculturalism and in its enmity to racism. As the Premier said before, when you witness the violent divisions and ethnic conflicts that scar other parts of our planet, I believe this nation stands out as a shining symbol of how ethnic diversity can be a positive and liberating force socially and economically. The Premier mentioned Cyprus. I visited Cyprus last year and went to that same green line to see depression and oppression on one side of the line and freedom on the other. I have also visited northern Greece, where they have been fighting—fortunately some measures have been taken to resolve these issues—a culture of imperialism of another kind, with attempts to steal the history of Greek Macedonians. We do not have that here: we have in multiculturalism a policy of tolerance and celebrating diversity.

There is no doubt that multiculturalism can also be an engine room of economic growth. That is why the growing importance of ethnic or country specific chambers of commerce is so important. Hellexpo, for instance, which the Premier and I attended recently, is an example of the excellent work by the Hellenic Australia Chamber of Commerce in Adelaide. For too long we have ignored not only the contribution but also the contacts of Australian business people born overseas. In my view, multiculturalism is also a mark of the maturity of our nation. That point certainly was mentioned repeatedly to me during my recent visit to Italy and Greece. As we move towards the centenary of Federation in 2001 and a new millennium, our commitment to multiculturalism should be specifically defined and honoured in the laws of Federal, State and Territory Parliaments. In my view, there could be no better way of celebrating a new century and 100 years of Federation than to mark that with a recognition of multiculturalism in the laws of Federal, State and national Parliaments.

Unfortunately, in our mainstream media I am hearing a growing clamour to disparage and diminish all that has been built and achieved. Pauline Hanson is getting far more publicity than Pauline Hanson deserves, just as National Action in this State gets far more publicity than it deserves. When National Action holds a demonstration consisting of about 10 no-hopers on the front steps of Parliament House, the media turn up in bulk to film them and give them credibility, which no-one else on this planet would give them because they are not worthy of that credibility and they are certainly not worthy of that attention. This has been happening sporadically for a number of years. I remember the attacks on multiculturalism by John Howard in 1988. I remember why that was done: it was thought that the levers of prejudice would serve his ambitions. He was swiftly dealt with by the mainstream people in his own Party, and that was a good thing.

Instead of weasel words and trying to appeal to the worst instincts in our society, political leaders on both sides of Parliament can win respect by rejecting outright the views of the Pauline Hansons and the National Actions and work to point out the benefits of diversity. We have to be vigilant in fighting racism. Yesterday I said that it was a cancer within our nation that must not be allowed to grow. If it does grow, it will not only divide Australians but also cost us dearly as a nation economically. Today, let us very firmly point this out to all those people in the State who might be flirting with the ideas of Pauline Hanson: the fact is, if we embrace her ideas nationally, we will cost every Australian economically, because country after country will turn against us in terms of trade and exports. That is why it is important that this Parliament support the toughest racial vilification laws not only in this country but also internationally. Let us take the best of the Liberal's Bill and the best of Labor's Bill and produce the best racial vilification laws for this State rather than playing political games and putting out silly press releases.

I am certainly delighted with the support that I have received on this issue from the multicultural community councils of South Australia in a submission to the Legislative Review Committee of the South Australian Parliament. We have to ensure that there are provisions empowering the Equal Opportunity Commission to be involved in many cases of racial vilification.

In closing, I want to place particular emphasis on Aboriginal reconciliation. I had the great privilege of being Minister for Aboriginal Affairs in this State for three years and also being Minister assisting the Minister of Multiculturalism and Ethnic Affairs. It is vitally important that we embrace the policies of reconciliation. In 1994, this Parliament enacted legislation that gave a legal underpinning in the law of South Australia to the High Court's historic decision in the Mabo case. Let us remember what the High Court decided: it determined that Australian law should not be, in the words of Mr Justice Brennan, 'frozen in an era of racial discrimination'. The High Court's decision in the Mabo case ended the pernicious legal deceit of *terra nullius* for all Australians and for all time.

Certainly, this State has a history of which all members of this House can be proud, at least during the past quarter of a century, of leading Australia in the recognition of Aboriginal land rights. In 1966, Don Dunstan introduced Australia's first land rights legislation when he established the Aboriginal Lands Trust. That trust, which exists today, was in many ways the turning point in Australia in recognising the special association that Aboriginal people have for their land. But we as a Parliament did not rest on our laurels: in 1978 Don Dunstan introduced historic legislation designed to give inalienable land rights to the Pitjantjatjara people in the north-west of our State. That issue was not popular—it is ridiculous to assert otherwise—but it received the support of both sides of this Parliament. It is to the enduring credit of Liberal Premier David Tonkin, with the support of members of the Government of this time, that the process begun by Don Dunstan was continued with the passage of the Pitjantjatjara Land Rights Act during his administration.

After Labor was returned to power, the Bannon Government introduced legislation to give inalienable land rights to the Maralinga people who were so aggrieved by the nuclear testing on their lands. Again that was achieved in a bipartisan way—with the total unanimous support of the Liberal Opposition, the Democrats and the Labor Party. The same

thing happened when I introduced land rights legislation for Ooldea. I was very pleased to have the support of the Hon. Graham Gunn (now the Speaker) and of other Liberal members who were pleased to support an important land rights law. We have to support reconciliation between indigenous and non-indigenous Australians in order to celebrate the centenary of Federation and also to ensure that we move forward as a nation rather than backwards.

However, it is important that we do more than make resolutions. Resolutions by themselves are important, but not enough. We will be judged by our actions, not our deeds, just as we will be judged by what we did for Aboriginal people in terms of land rights legislation and by what we have done in terms of multiculturalism. I am concerned about such matters as the closing down of the Parks Community Centre, because in many ways that is a living, working hub of multiculturalism in this State. I went there and met with people from Vietnamese backgrounds, students and their parents from Cambodian backgrounds, and refugees and migrants from other nations. I heard their message about why The Parks Community Centre was important to what they had achieved on arriving in this country and getting a decent education. It provided language acquisition, and was a community hub as well as a school. The same is true of the Sturt Street Primary School. We have to make sure that our resolutions today are not empty words and that we back multiculturalism by action and not just words. I have great pleasure in supporting the Premier's motion.

**The Hon. M.H. ARMITAGE (Minister for Aboriginal Affairs):** As Minister for Aboriginal Affairs, I am privileged to support the Premier's motion. Today the Parliament has the opportunity to stand with the Premier and on behalf of the South Australian community to reaffirm its proud roots as a free and tolerant community. Reconciliation and multiculturalism are, in essence, branches of the one tree. Reconciliation focuses on the forging of a strong, united nation through a process of reconciliation with our indigenous communities, in which the wider Australian community more fully embraces our oldest culture—our indigenous culture. On the other hand, multiculturalism focuses on forging a strong, united nation which celebrates its cultural diversity, in particular, the cultures that its citizens bring from communities overseas. Together, reconciliation and multiculturalism are about the Australian community affirming that our social and cultural life is robust enough to include Australians with ancient roots in this land, those whose roots are well settled and those who have come only recently to Australia.

The Aboriginal community is entitled to be accorded special honour. They are the first Australians, the custodians of the indigenous culture of this land and the pioneers of the united, tolerant, multicultural Australia for which we all ought to strive. On the other hand, like all Australians, Aboriginal Australians must appreciate that they need to offer to newly arrived migrants the same respect which they expect and deserve from other Australians. Regrettably, Aboriginal Australians and some more recent arrivals have a shared experience of cultural intolerance. Even today, racism is an everyday occurrence in streets, hotels, schools and workplaces around Australia. One very public recent example was when St Kilda footballer, Nicky Winmar, confronted by hostile supporters from an opposing team, lifted his jumper to declare that he was black and that he was proud of it. In 1992, Manduwuy Yunipingu, the lead vocalist of Yothu Yindi, was told that he was not an appropriate customer at a

Melbourne hotel. In 1993, one year later, he was named Australian of the Year. In 1994, the Manager of the Commonwealth Games team criticised Cathy Freeman for carrying the Aboriginal flag. In 1996, less than two years later, she was feted around the nation as an Olympic hero.

Racism is real, racism is current and racism is corrosive. I consider that the majority of Australians are not racist, yet the prejudice of a small minority of the Australian community leads many Aboriginal people to be wary of non-Aboriginal persons. This is often wrongly labelled as Aboriginal racism. Rather, I think it is a heightened sensitivity, which will dissipate only as racism itself is tackled and eliminated. Whilst the label 'racist' may be bandied around too loosely, the populist campaign against political correctness runs the risk of belittling the aggressive and non-trivial racism that many Aboriginal people endure regularly. Political tides come and go. The previous Commonwealth Government emphasised self management for Aboriginal people: the current Commonwealth Government is emphasising accountability of services. Self management and accountability, however, are both ingredients in delivering good services to address Aboriginal disadvantage. Both approaches serve to highlight the unity of the political mainstream in its bipartisan commitment to address Aboriginal disadvantage.

Pauline Hanson deserves to be marginalised within Australian politics. I believe that she is a lonely voice in her attempts to deny Aboriginal disadvantage. Whilst Pauline Hanson may want us to think that she is part of a new wave, the reality is that she is swimming against the tide. Since 1991, the proportion of people in the community who say that they strongly support reconciliation has more than doubled to 48 per cent. There is no doubt that there is equally strong community disquiet that the money being spent on Aboriginal services may not be being used effectively to address disadvantage. I believe that this is not related to a racist attitude that the communities do not deserve this support but that, rather, it is an acknowledgment of non-Aboriginal Australians' frustration that such palpable disadvantage still exists. I trust that these concerns will be allayed by the accountability reforms being instituted in the Federal arena so that community support for efforts to address disadvantage will in fact grow.

In our concern that the treatment can be improved, we must not lose sight of the disease we are trying to treat. Aboriginal Australians are five times more likely never to attend school. Life expectancy is up to 21 years lower among Aboriginal people. In 1991, Aboriginal Australians were 12 times more likely to live in improvised accommodation and, in South Australia, 44 per cent of Aboriginal people are unemployed. As I said, Pauline Hanson deserves to be discredited. If her views go unchallenged, community support and funding for efforts to address Aboriginal palpable disadvantage will dissipate. I know of a maxim that silence means consent. There comes a point where ignoring a position will be taken as endorsement. For our part and in our situation, the South Australian Government wants to declare that we actively oppose the approach of people such as the Federal member for Oxley. In fact, the Brown Liberal Government is a strong supporter of reconciliation, as encapsulated in the Council for Aboriginal Reconciliation's vision. That vision is:

A united Australia which respects this land of ours; values the Aboriginal and Torres Strait Islander heritage; and provides justice and equity for all.



The Brown Liberal Government affirmed that vision by initiating a parliamentary resolution on 8 September 1994. The Government's record on Aboriginal affairs reaffirms that vision in each of its key elements.

I will take those elements one by one. In terms of 'a united Australia which respects this land of ours', the State Government has recognised Aboriginal interests in land by providing a former mission site at Swan Reach to the community. We have leased Witjira National Park to the Iwanyere people—a national first. We have increased funding for the Aboriginal land holding bodies and we have announced our intention to transfer the former Finnis Springs pastoral station to the Aboriginal community.

In terms of the second of the tenets of the Council for Aboriginal Reconciliation's vision, namely, the Aboriginal Torres Strait Islander heritage, the Brown Liberal Government has strongly supported Aboriginal heritage. The Premier convened a consultation process with the community on Aboriginal heritage, and the majority of the recommendations have been accepted and are being implemented. The Government appointed the first full-time Chair of the Aboriginal Heritage Committee and initiated a \$300 000 sites protection program. Further, it has negotiated and signed South Australia's first Aboriginal heritage agreement which will protect Aboriginal heritage on Granite Island.

In terms of the final of the three strands of the Council for Aboriginal Reconciliation's vision, that of providing justice and equity for all, a key issue within the Aboriginal community has been concern about Aboriginal deaths in custody. The Government has reinvigorated the process of reform leading from the royal commission, with my personal involvement and with working groups looking at reform options. For the first time, the Department of State Aboriginal Affairs has been involved in post-death investigations. This is now standard practice. Whilst in 1995 there were six Aboriginal deaths in custody, there has been one death this year.

In a spirit of mutual respect, earlier this year the Government was able to exchange with the Aboriginal Lands Trust and the Gerard community a piece of land needed for the proposed bridge over the River Murray at Berri for a piece of land at Swan Reach. A significant proportion of members of the Gerard community were either displaced from the Swan Reach land or are descendants of those displaced. Such a land exchange demonstrates the Government's respect for Aboriginal interests and its willingness to facilitate reconciliation. It is my view, the view of this Government and of many Aboriginal people that the key to the resolution of disadvantage is Aboriginal economic development. True reconciliation will come only when Aboriginal Australians are full participants in the economic life of our country. Only then will the indigenous community determine its own priorities and its own future.

Last week, the State Government held an Aboriginal economic development workshop to encourage Aboriginal entrepreneurs and to ensure that our State Government agencies are attuned to the needs of Aboriginal communities and individuals developing enterprises. Flowing on from the workshop, it is envisioned that a State Aboriginal economic development strategy will be formulated. Many Aboriginal and islander people throughout Australia are working hard to develop jobs and enterprises that meet the employment and financial needs of their families and communities. They deserve our support. I very much look forward to the day when Aboriginal people will no longer have to justify their

actions to the media, politicians and bureaucrats, the day when indigenous communities can say, 'It's our money, we will spend it how we choose.' In my view, that is real self-determination.

In conclusion, I stress that guilt is not a viable foundation for reconciliation. We need to build mutual respect and care which motivates us to long-term and successful action. Past mistakes against Aboriginal people may explain Aboriginal disadvantage but they do not justify it. Present action can never undo the damage that has been done, but it can hasten the alleviation of the resulting disadvantage. Our future must be built on justice and equity for all, but the future of Aboriginal people is in the hands of the Aboriginal community, and we need to ensure that the next steps along the path towards this goal are facilitated. I urge the House to support the Premier's motion.

**Mr CLARKE (Deputy Leader of the Opposition):** I support the motion, and I am pleased to do so. In particular, I would like to support the principles behind the motion that deal with reconciliation with our indigenous people. Unfortunately, I think the debate has been hijacked over the past few months with respect to the emphasis that has been placed on comments by the new Federal member for Oxley, Pauline Hanson. Like the Leader of the Opposition, she is given far too much publicity when the points that she raises seek to—

*Members interjecting:*

**Mr CLARKE:** What the problem boils down to is that what she says creates division in our 'One Australia' nation and among the citizens, which is not only regrettable but entirely offensive and based on untruths. Non-indigenous Australians are the single most disadvantaged group in our society. The wrongs of the past must be righted. Parliaments can pass any resolutions they like and they can contain whatever flowery words that we in Parliament might like, but we will be judged by our actions not by what we say.

For my part as shadow Minister for Aboriginal Affairs in this State, I find it offensive and regrettable that the Federal Government under Mr Howard has chosen to pick on the Aboriginal community to the extent of cutting funding to ATSIC by \$400 million because they are seen as an easy target. They, together with other disadvantaged people in our society, are easy targets for the cost cutters in Treasury because they do not form a major cohesive political force to overturn the Government. That I find offensive because it is the natural ethos of Australians to extend a helping hand, to give the underdog a fair go. I think it would be far better for Governments such as the Howard Government to commit themselves in actions rather than words to giving a fair go to our indigenous Australians.

I turn to the issue of multiculturalism. In a speech, entitled 'Multiculturalism and participation', made by the Hon. Chris Sumner, a former Minister of Multicultural and Ethnic Affairs, in November 1984, he said:

The challenge is to reach beyond the assimilation and paternalism of welfare multiculturalism to a position where multiculturalism is a mainstream concept—not a policy for minorities but for all Australians. We are all Australians. We share a common commitment to this country, to its democratic institutions, to its economic growth, prosperity and wellbeing. But within that commitment everyone has a right to his or her individuality and unique heritage. Our aim should be to achieve a situation where that diversity is accepted as a natural part of our daily lives. Multiculturalism will then be established as an idea for all Australians.

I commend the words of the former Minister, the Hon. Chris Sumner. It is interesting to note that when we talk of the

history of South Australia and its European settlement as a colony in 1836, the first Chinese immigrant to South Australia came here in 1836 also at the very time of the founding of our colony. Unfortunately, from time to time in our history we have had a rising tide of anti-Chinese sentiment, especially towards the end of the last century when there was fear of loss of jobs and the like because they would work for lower wages.

In 1888, the Chinese community in South Australia petitioned the South Australian Parliament pointing out that it did not drink, gamble, use hospitals or, destitutes' asylums, etc., and contributed overall to the economic growth of the then economy. I only wish that Pauline Hanson had made note of those facts. Many members of my electorate and of many other electorates, particularly the Vietnamese community, are making themselves citizens of Australia. What strikes me is the number of recently arrived immigrants who when they take the oath of citizenship at the Port Adelaide Enfield Council quickly throng around to have their photograph taken under the Australian flag so that those photographs can be sent to relatives overseas or within Australia. They are proud to be Australian and they contribute significantly to the economic wellbeing of this country.

In terms of the debate on free speech in Australia, as some people put it, that is, that the politically correct have oppressed free speech in this country, that is just so much nonsense. However, with freedom of speech there comes responsibility, and it is the responsibility of community leaders—particularly members of Parliament and leaders of all political Parties—to ensure that there is tolerance within our society. Wherever a voice is raised in order to titillate some of the base instincts of the broader community, we should rise up as one voice to put an end to it. We cannot survive as a nation if we seek to divide and rule based on ethnicity, nationality, race, colour or religion.

In conclusion, with respect to Aboriginal affairs and multiculturalism generally, we in Parliament have a heavy and onerous responsibility to be tolerant, understanding and always to ensure that, as part of our Australian ethos, we always extend the helping hand to those less fortunate than we are.

**Mrs HALL (Coles):** Our nation comprises a multiplicity of backgrounds and experiences that fit together and give us a modern Australian way of life. Whether we are indigenous Australians or of European, Asian or some other extraction, our culture, ritual and customs have a home in our egalitarian society. Governments recognise this diversity and, aided by a myriad of boards and committees, promote it for the benefit of all. Australia is a mixture of people from every corner of the globe. We are undeniably the world's most successful immigrant nation. Australia is often described as a melting pot.

My Federal colleague the member for Sturt, Christopher Pyne, often likens Australia to a wok, into which he says go many different ingredients providing individual flavours but contributing to a harmonious whole. Over the years, European countries particularly have predominated as sources of immigration and, in years since the Vietnam war, Asia has become a significant contributor. It is on this influx from our own region that the current strident critics have based their inflammatory, provocative and offensive remarks.

Historically, it has been easy enough to stir trouble about the latest wave of arrivals, and we would all remember some of the hurtful names many Australians from a different

background were called during the 1950s and 1960s. Succeeding generations have placed a different emphasis on their parents' traditions. First generation immigrants of all nationalities came to this country and contributed in economic, social and cultural ways. Their children, many of whom came with them from overseas, have had to cope with trying to blend two totally different cultures. For some, there was a desperate need to be accepted by their Australian friends, sometimes resulting in major clashes with their parents.

Unlike their parents, who in most cases did not have a full comprehension of English, it was this second generation that endured the name calling and the razzing by their Australian school mates; for example, they were razzed about their sandwiches being made from thick, crusty home-made bread and not squarely cut Tip Top slices, and for not having Vegemite on them but leftovers from the previous evening's meal. How things have come the full circle: we all now love thick crusty bread and capsicums; we all know the telephone number of our favourite Chinese takeaway; and pasta is usually part of our daily diet.

This group, the second generation of South Australians who fought so hard to be accepted, who have been educated here, who have raised their families here and who work in the professions are feeling most hurt and angry over the current debate. In my electorate, as in others, market gardens have all but disappeared—a pity I might say, too—and many of the families have moved on to other towns or suburbs. Their new family home may still have the tomato patch, along with the vegetable garden, as a reminder of times and traditions past.

Australia's successful migration program, the great mass movement of people to Australia, was planned by successive Australian Governments and supported in the main by both major political Parties. Its bipartisan approach, which has been mentioned earlier today, has been an essential component in trebling our population over the past 60 years—the astonishing growth from 6 million to 18 million. Now we are in the vortex of a public debate on migration and multiculturalism not because of a cool assessment of national objectives but because political misfits are inventing figures for their own political ends. These demagogues claim to be ordinary Australians. They are ignorant of the facts but well aware that their pitch may appeal to those desperate for scapegoats, those most susceptible to the appeal of bigotry and prejudice. I spoke on this matter during the Address in Reply debate, and I am pleased to have another opportunity to reaffirm my support for non-discriminatory immigration policy and for the continuous support by Governments of multiculturalism.

The Premier's motion today is a proud and sadly necessary reaffirmation of support for all the immigrant communities in South Australia. The racist tenor of the debate in the community reveals two things: first, a denial of the very basis on which this nation has been forged; and, secondly, a totally misplaced and pessimistic view of our future. The history of our country should inspire a great deal of optimism about our continuing development. Part of this development will be a continuing migration program. It will be altered from time to time and adjusted to world and internal economic and social conditions. However, it is unthinkable that Australia will reverse its growth and cut its links with the rest of the world.

Yesterday, the *Financial Review* featured an article by business analyst, Phil Ruthven, headed 'The immigration myth'. I will quote the article, because it dispels some of the nonsense and misinformation being used in this debate. On the question of immigration and employment, it states:

We had much higher *pro rata* immigration levels in the 1940s, through to the 1970s, than in recent decades—with full employment, indeed levels of 1 to 2 per cent unemployment, for much of that period.

The accepted truth is that, for every new immigrant family that enters the country, four new jobs are created for the first four years they are here because of their consumption of services and infrastructure such as schools, hospitals, sewerage, roads and, of course, housing. Immigration, axiomatically, lowers unemployment.

Mr Ruthven continues:

Claiming that the gently rising proportion of Asians in Australia is causing unemployment is about as believable as asserting that the faster rising proportion of the population of Far North Queenslanders, as a proportion of the population, is doing the same.

It is worth putting on the record the actual immigration statistics for South Australia in 1994-95, and those figures certainly do not support the view that in our quest to cure the dole queue we should halt immigration. Our State arrivals for 1995-96 were 3 842 individuals, which is 3.8 per cent of the national intake. In order to match our share of population, which is 8.3 per cent, our total intake would have needed to be about 8 000. We are hardly being swamped by Asians. This Government is looking to the future and supporting many new opportunities in employment generated by the IT industries. I have spoken earlier on the initiatives and benefits of the IT 2 000 Vision program. I refer again to the *Financial Review* article, as follows:

The new Infotronics Age which began around 1965 promises an end to most of the economic and social ills now besetting us, if we understand it as the truly smart countries (including many Asian countries) have already done. It promises full employment, rising incomes, the elimination of household chores, lots of enjoyable leisure time. And more.

It goes on to say:

Along this path to a regional economy and society Australia needs to know the benefits awaiting it, not fear imaginary disasters of the sort being bandied around, yet again, by modern-day Luddites. We cannot stop the world and get off. So why should we try?

I have said before, and reiterate today, that I am proud to be a member of a Government that supports and is committed to the declaration of principles for a multicultural South Australia which recognises and values cultural diversity. It goes to the very heart of the values most of us cherish, living in a peaceful society based on values of tolerance, compassion, dignity, inclusion and a fair go for all.

I strongly support the motion of the Premier today and commend him for having the courage to pursue its objectives. It is important that we discuss these matters of multiculturalism and Aboriginal reconciliation in a rational and balanced manner, but the recent shameful and mindless mouthings about Asians and the advantages supposedly enjoyed by indigenous people have added nothing to the debate. Many of these assertions have been described by our Governor-General, Sir William Deane, as arrant nonsense. If the French philosopher Voltaire had been following the debate, he probably would have reflected on the acrimonious and ill-informed statements of recent times and said, as he has said before: prejudice is the reasoning of the stupid.

**Mr ATKINSON (Spence):** I represent probably the most multicultural electorate in the State.

**The Hon. Frank Blewins:** That's not true.

**Mr ATKINSON:** Included in my electorate are substantial Greek, Vietnamese, Italian, Polish, Ukrainian, Serbian, Croatian, Spanish and Latin American communities. At citizenship ceremonies for the City of Hindmarsh Woodville and the City of Port Adelaide Enfield there is an increasing

number of Portuguese, Bosnian, Russian, Ethiopian and Eritrean people declaring their loyalty to Australia. I can tell the member for Giles that I know this because I doorknock all candidates for citizenship and my new constituent letters are delivered personally in 13 different languages.

I want to take as my text for today the maiden speech of the Federal member for Oxley, Ms Pauline Hanson. I refer to her speech because I want to tie down this debate to specifics and get it away from generalities. Before I do that, I refer to the Premier's motion where it states:

... affirms its support for policies relating to multiculturalism—

'Multiculturalism' as an abstract noun is a word I have always tried to avoid. When I was the Press Secretary to the Minister for Immigration and Ethnic Affairs in 1985 and 1986 I always tried to remove the word 'multiculturalism' from his speeches because I share the concerns of the late Frank Knopfmacher and Professor George Zubrzycki that the abstract noun 'multiculturalism' really adds nothing to the debate, although I am quite happy with the adjective 'multicultural' because it has a firm grounding in reality. The motion continues:

... and Aboriginal reconciliation being based upon the principles of non discrimination—

I have to say, first of all—

**Mr Brindal:** You don't have to—you choose to.

**Mr ATKINSON:** Well, I choose to say first of all that discrimination is a two edged concept. One of my law lecturers said that there are two types of discrimination: one is treating the same cases differently, and the other is treating different cases the same. That is the nub of the debate about Aboriginal affairs in Australia, because in fact Pauline Hanson is right to point out that a number of benefits are available to Aboriginal Australians that are not available to other Australians. However, I would argue that that is right because of the disadvantage that Aboriginal Australians suffer. It is a case of treating different cases differently, and it is on that basis that the Aboriginal affairs policy of the Commonwealth and State Governments ought to be defended. On a truthful basis—

*The Hon. M.H. Armitage interjecting:*

**Mr ATKINSON:** As the Minister for Aboriginal Affairs says, exactly as it should be defended, and not on the false denial that there are no benefits available to Aboriginal Australians that are not available to other Australians. Let us argue it on a truthful basis.

The other thing that caught my eye in the motion was the reference to 'racial harmony'. As I said in the debate on the Racial Vilification Bill, I am uncomfortable with the term 'racial'. The very idea of a race is a false idea. There is no such thing as a race of people. There are ethnicities and communities, but there are not races. The term 'race' is an idea promoted by the German National Socialist Party, and it is unfortunate that those of us who oppose national socialism fall into the mistake of using the language of Germany in the 1930s, but it is a small matter and I shall move on.

The Minister for Aboriginal Affairs said that Pauline Hanson was a lonely voice. Well, the truth of the matter is that Pauline Hanson is not a lonely voice. She is at the moment representing the vast majority of Australians on the matter of Aboriginal affairs and on the matter of immigration. The whole point of this debate is for us to go out and convince the majority of our fellow Australians that Pauline Hanson is wrong. If we pretend that she is a lonely voice, we

will not make much progress. In Ms Hanson's maiden speech to the House of Representatives, she said:

Present Governments are encouraging separatism in Australia by providing opportunities, land, moneys and facilities available only to Aborigines. . . under the assumption that Aborigines are the most disadvantaged people in Australia.

Where I differ from Ms Hanson is that I believe Aborigines are the most disadvantaged people in Australia, so those entitlements which Aboriginal people receive are justified on the basis not only of their prior ownership of Australia but on the basis of their continuing disadvantage. I do not feel any collective guilt as an Anglo Australian for the past dispossession of Australian Aborigines, but I do feel a certain shame that their relative disadvantage continues so long after white settlement in Australia. Ms Hanson goes on to say:

We must have one people, one nation, one flag.

All I would say about that is that it sounds very much like the Russian Tsarist slogan, early this century, of 'orthodoxy, autocracy, and nationality,' and I am not particularly attracted by it. Ms Hanson goes on to say:

For far too long, ordinary Australians have been kept out of any debate by the major Parties.

She is referring to immigration and multiculturalism. She continues:

I, and most Australians, want our immigration policy radically reviewed.

It seems to me that it is true that ordinary Australians have been remote from the immigration policy debate in Australia. Ms Hanson's success in gaining public support has been because ordinary Australians have not been contributing to the debate as they may wish. It is important that ordinary Australians are informed of our immigration policy. In fact, our immigration intake is about only one half of what it was five years ago. To that extent, Governments (both Labor and Liberal) have been catering to the desire of most Australians to see a restricted immigration program.

It seems to me from talkback radio, on which I participate about five nights a week, that most callers are not aware of how the immigration program is composed. They are not aware of the refugee intake, the special humanitarian program, the family reunion program for close relatives, the family reunion program for more distant relatives, and the skilled and business intake. They are not aware of the various components of the immigration program, although they should be aware of them before they proceed to comment publicly.

It also seems to me that many people who are opposed to our current immigration program and want zero immigration do not fulfil the civic duty of becoming interested in the facts regarding the immigration program by joining a political Party, attending public meetings and participating in the political process. The member for Adelaide interjected earlier and said that I was wrong in saying that Pauline Hanson was not a lonely voice because she was in politics. He is right about that: Pauline Hanson is a lonely voice in politics; she is a lonely voice in the Parliament.

*Mr Brindal interjecting:*

**Mr ATKINSON:** I think she is wrong, and that is why today we will all vote on the same motion disapproving of the member for Oxley. Parliament must reach out to the great majority of Australians who are opposed to the immigration program and enter into some constructive dialogue with them to ensure that they understand the immigration program so that, having understood it, they can make a rational judgment

on what our immigration program should be. That is what I am advocating. It serves no purpose for the member for Adelaide to gloat about how lonely a figure Ms Hanson cuts in the Federal Parliament without realising that she does have a great deal of support amongst the public. We must come face to face with that situation, instead of merely isolating Ms Hanson, because her point of view will not go away. Ms Hanson continues:

I believe we are in danger of being swamped by Asians. Between 1984 and 1995, 40 per cent of all migrants coming into this country were of Asian origin. They have their own culture and religion, form ghettos and do not assimilate.

I reject that passage in Ms Hanson's speech. First, I disagree with it on principle and, secondly, it is just factually wrong. For instance, one-third of Vietnamese Australians in my electorate profess the Roman Catholic religion. Does Ms Hanson have the view that Roman Catholicism is a foreign religion? Is she going back to Titus Oates?

*The Hon. Frank Blevins interjecting:*

**Mr ATKINSON:** The member for Giles interjects. Is he taking the old Left line that Roman Catholicism is a foreign danger to the State, a subversive religion? I hope not in this day and age.

*The Hon. Frank Blevins interjecting:*

**Mr ATKINSON:** He is reserving his position. My experience is that various ethnic groups, especially the Vietnamese in my constituency, blend in very well indeed and are fine members of the community. During my seven years as a member of Parliament, on nearly every working day I have had a neighbourhood dispute referred to my electorate office, a dispute of some kind between two neighbours. Not once during those seven years has a neighbourhood dispute related to a Vietnamese Australian. In my view, those people settle well.

Indeed, there were tremendous problems at the Noblet Street flats in Findon in the form of disturbances by tenants and other neighbourhood disputes. The residents association solved the problem by approaching the Immigration Department and asking it to refer new migrants to Australia as soon as they came off the plane—whether they be Polish, Bosnian, Belorussian, Ukrainian or Indian—to the Noblet Street flats to become tenants. Since that time, there has been a marked drop in neighbourhood disputes and petty crime in the Noblet Street flats. The Noblet Street flats are a multicultural success.

The reason that so many Vietnamese came to Australia after the Vietnam War was that we, quite rightly, fought on the side of the Republic of Vietnam. We fought against communism in Vietnam. The communists, with Russian and Chinese help, managed to win the war in Vietnam and, therefore, many of our allies, people with whom we fought, had to flee Vietnam ahead of the bloodbath that followed. We were right to take the Vietnamese into Australia as migrants, both as refugees and under the family reunion program, because those people share our democratic values and the values of the rule of law. They had been defeated in war when they were our allies and we were right to bring them to Australia. That was the policy of Malcolm Fraser's Coalition Government, and I supported it.

As a consequence of that generation coming to Australia as refugees—to which they were entitled—in some cases they are now bringing their families to live in Australia, and that is their right under the Family Reunion Program. We would be a dishonourable nation if we repudiated our obligation to the Vietnamese people who supported the Republic of

Vietnam. Vietnamese Australians have every right to be in Australia, and I support their settlement here.

Further, I reject Ms Hanson's complaint about our immigration program in the past 20 years. It was the only decent immigration program that we could have. Pauline Hanson continues:

A truly multicultural country can never be strong or united. The world is full of failed and tragic examples ranging from Ireland to Bosnia and Africa.

Australia is the most successful multicultural society in the world. We have a large Anglo-Australian majority, an unquestioned majority that sets the agenda for values and politics in this country. Then we have a succession of many small ethnic minorities—the more the better. Australia would not be a successful multicultural society if we had an Anglo-Australian majority and a huge minority of one different ethnicity. We would not be a successful multicultural country. Around the world those kinds of societies struggle to succeed. Australia is a successful multicultural society precisely because we have so many different ethnic minorities and one solid ethnic majority. Pauline Hanson cites Ireland as a failed multicultural country. I am a citizen of the Republic of Ireland and I have been to the Republic of Ireland. As I have said before in the House, it is very much a monocultural society. Ireland has no significant ethnic minority. In no sense is it a multicultural country, let alone an unsuccessful multicultural country. Pauline Hanson goes on to say:

It (the Government) must stop kowtowing to financial markets. Well, that is code for anti-semitism if I have ever read it. She continues:

The Government must do all it can to help reduce interest rates for business.

I hope that Ms Hanson is telling all the superannuants and retired people in Australia that she intends to bring down interest rates. They will be pleased to hear that. She goes on to say:

Abolishing the policy of multiculturalism will save billions of dollars and allow those from ethnic backgrounds to join mainstream Australia.

People from ethnic backgrounds can join mainstream Australia. They do it now, and the chief method by which they do it is through intermarriage. Long may it continue. If Ms Hanson thinks that multiculturalism costs Australia billions of dollars, she ought to have another look at the budget papers. It is a cheap policy at the price and I support it.

**Mr BRINDAL (Unley):** It gives me pleasure to support the motion moved by the Premier. It does not please me, but I do acknowledge that the member for Spence made some sense in parts of his contribution, but it is a pity that he felt inclined to go on for so very long. He descended into analysing critically almost the entire contribution of someone who does not deserve commenting upon. I make my contribution to this debate in terms of disappointment that the motion becomes necessary because someone proposes something which most Australians would know to be abhorrent and basically ridiculous. Like the member for Spence and other speakers, I believe that most Australians are among the most tolerant people on earth. Many of us have travelled and we have only to go overseas and listen in other countries to other groups talking about either minority groups within their own country or their neighbours next door, for whom there is no physical difference—no dissimilarity at all—and listen to the

prejudice and rubbish that they talk about each other to know that we are fortunate indeed to live in this country. I think all Australians—this whole nation—can hold their heads particularly high because, whatever our problems or divisions, in many ways they are minuscule compared with the problems and divisions faced elsewhere in the world.

Every member will be aware that many European Australians came here to escape persecution and intolerance. Many groups of which you and I, Sir, would have formed part four or five generations ago came here to escape intolerance and persecution. They came here because of the value they hold most dear—tolerance—and it is a pity that people such as Pauline Hanson attract as much attention as they do in the media because, as the member for Spence says, the reason they attract so much attention is that often they are thought to be without voice in the Parliaments of this country. It is equally a pity that political correctness has taken such a form in the Parliaments of this nation that, the minute someone says something with which the majority disagrees, we all feel compelled to jump up and down and call for all sorts of dire penalties. I remind the House that not so long ago the member for Lee proposed the solution to what he saw as a problem which many of us found abhorrent.

*Ms Stevens interjecting:*

**Mr BRINDAL:** That is not the one I was thinking of. The member for Lee often cites solutions which many of us find abhorrent. The thing that I have found most abhorrent in the debate was the calls on public radio by people saying that the member for Lee should be expelled from Parliament because he is not politically correct. When democracy descends to marks out of 10 for people in this Chamber going through the formula, filling in the rhetoric and saying that which is politically correct, democracy is in trouble. I would put to the House that one of the reasons we are faced with this debate is that exact reason: there are not enough of us to get up and speak honestly for fear of being labelled racist or biased, or for fear of the debate being shifted from what we are talking about and what makes sense to attacking a group which we are not attacking, on different principles.

I think that is the basis for the attention on Ms Hanson. I do not believe she deserves the attention and, like the member for Spence, I abhor much of what she says. She is getting the attention because she attracts a nerve in the people of Australia. Does that make them intolerant?

*Mr Atkinson interjecting:*

**Mr BRINDAL:** I would argue with the member for Spence on that. Does that make them intolerant? I think not. Does it make them concerned? I think so. We just have to move around country South Australia to realise that there is a degree of concern. The member for Spence says that Aboriginal people are disadvantaged and, therefore, we must positively discriminate and construct programs which assist them. I do not know many Australians, especially country Australians—those people who live in the electorates of the member for Eyre and Goyder—who are not among the most racially tolerant people. I will tell the House something without fear: people in Ceduna are not afraid to have Aboriginal Australians living next to them. I have many electors and I know a good many people in Adelaide who say all the right things but, if a family shifts next to them—and I had this experience in Hayward—they say, 'We are not racially prejudiced, but we do not really want Aboriginal neighbours.'

As you know, Mr Speaker, Ceduna has often taken a bashing, yet most people in Ceduna live next door to

Aboriginal Australians. They are not the intolerant bigots that they are presented to be. They are presented to be intolerant bigots because, every time they see a problem and every time they say, 'This is a waste of money, this program is not working', rather than address seriously the fact that the Government might be making a mistake, too often the Government hides behind the statement, 'We do not want to admit that we are making a mistake and anyone suggesting that the program is not working is a racist.'

*Mr Atkinson interjecting:*

**Mr BRINDAL:** The member for Spence is quite right in his interjection. Therefore, I contend that the serious part of this debate must be addressed by Australian Governments at all levels. It is not that our community has disadvantaged people in it: it is what are the programs that best address and redress the disadvantaged in a way that gives them a fair go? There cannot be one member of this House who was not appalled when they heard Murray Nicoll a week or two ago saying that some aid organisations are supporting Aboriginal communities in central Australia, that they are sending people to help our Aboriginal communities, as if we were a third world country. The member for Spence endorsed the Minister for the Aboriginal Affairs saying that that is a shame; it is something about which I felt deep shame as an Australian and I would hope that we could sort out our own problems without needing World Vision or other people to come in rather piously as if we were some third world country needing the assistance of better and more educated people than ourselves.

It is a shame, but the question must remain: of all the resources that have been applied by Commonwealth and State Governments, why are not some of them getting through? What is going wrong? I cannot stand up here and pretend that I have a complete answer—none of us can. One thing we can agree on is that 20 or 30 years of programs have been put in train and have gone wrong, and it is time to relook at some of the questions, reapply moneys and reassess our relationship with the Aboriginal people, looking them in the eye and saying, 'We will treat you as equals.'

I have related to the House before the story of an Aboriginal woman who came down from Alice Springs when I was working for the Education Department. The Aborigines had just applied for the licence for Impaja in central Australia. I asked her why she was applying for the licence. I said it was a good thing to do and asked why Aboriginal communities would be interested in running a television licence. I said, 'Surely you have more than enough to sort out other than an Aboriginal television licence.' She said, 'We are doing it because it will give us dignity.' I asked her what she meant and she said, 'What is the second biggest business in the Northern Territory?' I said, 'It is cattle.' She said, 'No, it is Aborigines. You have to understand that there is an entire bureaucracy who make their money and build their careers helping our people. There is an inadvertent mentality in that. They say, "As long as you are disadvantaged, we have a job and when you cease to be disadvantaged, we no longer have any reason for existence."' She said, 'It is almost as if, on the one hand, the bureaucrats offer us their hand and say, "It is our job to help you up", but, on the other hand, they keep their foot firmly on our neck. They say, "On the one hand we help you up, but not too quickly, because it is no good you looking after yourselves until we are ready to retire."' As is a failing with bureaucracies—

*Members interjecting:*

**Mr BRINDAL:** Yes. Bureaucracies find their own reason for existence and so self perpetuate themselves. They find disadvantage and foster disadvantage so that they have a reason for their own existence. I find that argument from the Aboriginal woman compelling. It is an argument with which many Australians would agree.

Many Australians are far from satisfied with the state of affairs for Aboriginals in this country, but I do not think it is racial. I do not think it is a criticism of them or their race. It is a criticism of the Parliament of this State, the Parliament of every State and the Parliament of the Commonwealth of Australia that we have failed adequately to address the needs of the most disadvantaged groups in our community. We keep saying we are doing something. We keep espousing the rhetoric in this place but, in the end, we have accomplished very little. We condemned the Christian churches for doing missionary work and the communities which we took away from the churches and re-established in their places are probably more abject failures. They might have been in there for the wrong reason or with rather pious and sanctimonious attitudes but, arguably, they might have achieved a little more than we have managed to achieve with all our do-gooder intents in the past 20 years.

The tragedy of this motion—which, as I said, I fully support—becoming necessary is the failure of Governments at all levels in Australia to look fairly at the problem, to address it properly and to address it in a way that gives all Australians nothing more than they demand for their children, their grandchildren and each and everyone of us, that is, a fair go. We are not giving Aboriginal people a fair go. We are not giving some of our migrant intake a fair go. We have all heard comments such as, 'Wonderful, we support these people. We have brought them in. We have done all these wonderful things.' That is total and arrant nonsense. I remember after the war when successive waves of Italians arrived that they were treated in very much the same way as the Vietnamese and Indo-Chinese are treated now. They were accorded the same warm welcome, regarded with suspicion, looked at sideways and thought to be slightly odd. And with them the Greeks. But, what happened? Someone else came in and they became, in a sense, the group that we did not quite understand and treated with suspicion.

Let us look at ourselves honestly and honestly assess the situation. Let us stop some of the correct political rhetoric, the sanctimonious claptrap, and get on with the job, which is governing for each and every Australian in a way that creates an equal and fair society. We need value in diversity. We need rich fabric in South Australia. We need a talented and tolerant Australia not a politically correct Australia.

**Ms STEVENS (Elizabeth):** I strongly support the Premier's motion. If we as Australians reflect, we acknowledge that the only people in the modern Australian nation who are truly Australians by origin are the Aboriginal people: the rest of us are all migrants, being people who came to this country—or our forebears—some time over the past 200 years or so. We are all migrants to this country. Initially, the new migrants came as convicts from England, many being convicted in law courts because they were poor; they were forced into 'criminal actions' of the day because of their poverty; and they were bundled out to Australia to get them out of the way. Many of these people began the colonisation of the east coast of Australia.

It was different in South Australia, which was settled by free settlers, those who chose to come here to start a new life

and gain a new future in a new country. Over the years, from those early times, the modern Australian nation has developed, and we have seen the defining of a culture that we would call Australian. That culture grew through the struggles, the triumphs and the disappointments that the people living in Australia experienced until now. Some of those events include the First World War with the Anzac tradition—the tradition of looking after your mate, of being there, of fighting on, of being steadfast and of being loyal, of mateship; the struggles of most of the people during the Great Depression of the 1930s; the conflict of the Second World War, the people of our country joining that great struggle.

After the Second World War, the first of the great waves of migration occurred, first bringing people from Europe and then, as time went by, people from Asia. As the member for Spence said, migration first came about because we needed the skills that migrants had to offer and later because of our responsibilities as a civilised country to provide refuge for certain people who lived in countries where they had been subjected to turmoil, severely disadvantaged and put at risk. The Australia we know today has grown from all these events. It is a country that celebrates freedom, democracy, a quality of life that is envied around the globe, freedom of speech, egalitarianism and the cultures of all the different groups who live here. There is a mixing of cultures and all the wonderful embellishments as a result of the diversity of people living together.

As the Leader of the Opposition said in his contribution, multiculturalism flowered particularly in South Australia, which was settled by free settlers. In the 1970s in particular, there was a real flowering, a real coming to the fore, of difference; there was a celebration of the different ethnic communities, with a treasuring and valuing of these cultures. I believe that this is what makes us great as a nation. When I have travelled overseas and seen the issues with which people in other countries are grappling, I am happy that I live in Australia. I am not ignoring the fact that we face issues of our own, but certainly we do not have the sorts of issues and divisions that are evident in so many other countries. That is something that we need to treasure, something that we must never let go.

However, in moving forward we also need to recognise that there are issues in Australia, in particular relating to the Aboriginal people. We have finally realised—and perhaps because we are finally mature enough to realise—that what happened to the Aboriginal people because of the policies and practices which occurred when the new migrants came to Australia over the past 200 years was shameful, something that we need to come to terms with and deal with. Until we do this as a whole nation, we will not be able to move forward. As members have said, it is absolutely beyond doubt that Aboriginal people are the most disadvantaged in our community. On every indicator that anyone can name, Aboriginal people are the most disadvantaged in our country. Given factors such as life expectancy, infant mortality, education rates, health, Aboriginal over representation in the criminal justice system and so on, it is absolutely true that Aboriginal people are the most disadvantaged in our community.

We must do something about this, and that is what the reconciliation process is about. It is about acknowledging what happened. It is about saying that, through ignorance and racist attitudes, we did things that we now acknowledge were wrong, and we must work out a way to redress them and then move forward as a nation. It is not about the rest of us going

around apologising *ad infinitum*. Aboriginal people are not asking for that, but what it is about is acknowledging the facts of what happened and genuinely attempting to address the issues and moving forward.

Over recent months I have been horrified at what we have seen erupting under the guise of free speech. Sparked off by the member for Oxley in her maiden speech in our Federal Parliament, we have seen in our community an outpouring of misinformation, outrageous assertions with no basis in fact and a member of our Federal Parliament using the power of her position to give authority and credence to these erroneous points and racist attitudes. She has been aided and abetted by our media, which have been all too happy to give her prominence, and she has also provided a vehicle for other extremist groups in our society who saw a chance to use her to peddle their own particular bigoted message. It was interesting to hear the Minister for Aboriginal Affairs say that he believed she was a lone voice. That is not true.

As all members have probably heard and as I have heard on talk-back radio, Ms Hanson's comments have pressed buttons in people who have particular concerns and legitimate feelings that they have been let down, disappointed or disadvantaged in some way. Her comments have pressed those buttons and, because she has not had the facts and has just spoken off the top of her head, she has legitimised the same thing being done by other people. This is what has happened over our airwaves and throughout some of our media since Ms Hanson made those comments.

Another issue of concern is that not only has Ms Hanson given credence to those views by what she has said herself but that, because they have not spoken out or, because what they have said has been patronising or ignorant too, others who hold leadership positions have also added fuel to the fire. This has caused great despair amongst Aboriginal people and also people from other ethnic backgrounds in our community.

I will refer to two comments in particular. First, the comments made by the Federal Minister for Aboriginal Affairs when he referred to the Stolen Children's Inquiry and actually made the comment that some people were better off as a result of it. That was a most outrageous statement. How could he? It is almost unbelievable that a person holding the position of Minister for Aboriginal Affairs could even in his wildest imagination think that destroying families, taking kids away from their parents and shattering lives could have been an advantage to some people. It takes my breath away to think that this person holding that position could say such a thing. Just this morning I was speaking to an Aboriginal Leader in the northern area who was telling me that he was about to go to Alice Springs for two weeks to be reunited with two of his brothers whom he had not seen since they were seven or eight years old. He was saying how it felt to have the Minister for Aboriginal Affairs make that statement.

The other comment to which I refer is the Prime Minister's statement that he believed that the outcome of the Stolen Children's Inquiry would have no practical relevance. That shows how much the Prime Minister misunderstands the issues. Certainly, we need to discuss issues freely in our society. We need to be able to speak openly and honestly, but let us have the debate within a framework of respect for all the parties; let us use the facts and put the whole picture; and let us go forward with responsibility. Let us remember that diversity, egalitarianism, looking after each other and living together peacefully are what have made us great in the past. It is these very attributes that will take us into the future, but we need to do that together, openly and honestly.

**Mr SCALZI (Hartley):** I also support the Premier's motion. It gives me great pleasure to do so, because it is important that as a Government and as members of Parliament we show that we condemn the statements that have been made by certain individuals in our society with regard to multiculturalism, migration and the indigenous people of this country. It gives me great pleasure to support this motion, because it reaffirms and reinforces our commitment to the principles that we all agree upon as fair minded Australians. In doing so, I believe that until now it was important that the Pauline Hansons and Graeme Campbells of this world were ignored. However, we have reached the stage where we can no longer ignore them, because to ignore them would mean that we condone them. We are a multicultural society, and it is important to reaffirm the fact that Australia is synonymous with multiculturalism: we are a migrant country.

Given that the member for Oxley is into educating herself—that is what I have been hearing lately in the media—I will illustrate my point with a story. Returning from yard duty one day as a teacher, I came back to a table where a group of teachers were having a joke about ethnics. I joined in and said, 'You know, I agree; ethnics are a nuisance. They should all go back to where they came from—the whole lot of them. They're nothing but trouble.' They looked at me in amazement and said, 'Yard duty must have affected him; he must have got sunstroke.' I said, 'Yes; they should all go back to where they came from—retrospective to 1788.'

We are all migrants, we are all ethnic, we all come from one place or another and we all have a place in this great country, if we only acknowledge the fact that we are based on diversity and getting the best of the world's human face and not a particular face from a particular place. That is the position in Australia in the twentieth century and what has made us the envy of the world. We are a successful country that is based not on a particular history, background, political philosophy or religion but on humanity.

If we look back at the history of South Australia we find that, in 1910, 11 per cent of all South Australians spoke German. We have been a multicultural society right from early settlement. We are proud of our German heritage, and I am sure that all members here have drunk to that success. Not only have our diverse elements blended together successfully to make this such a great State and country; they have also given us an economic base which is the envy of the rest of Australia. We export 60 to 70 per cent of our wines. Try to do that without the diversity of background that we experience in this State! I am sure that Pauline Hanson, if she read her history book and understood the importance of our history, would drink to it.

I refer briefly to today's article in the *Advertiser* entitled 'Help yourselves, Aborigines told'. Again, the article is by Pauline Hanson, who shows complete disregard for and a lack of knowledge of the position of Aboriginal people in Australia. How dare she compare the background and the plight of Aboriginal people with that of immigrants to this country. They have problems, but they have a different perspective and a different history. To solve the problems, you must look at them from that perspective. To encourage one particular group to have antagonistic feelings for another is the worst form of political opportunism. It is saying, 'You had difficulty in the past, we didn't accept you in the post-war era, but you worked hard, and now you are a good Aussie. These programs have been taken away from you, and the hard work that you have done has not been acknowledged.' What a lot of nonsense! What an irresponsible position for a

member of Parliament to take: to condemn us to the position of setting one group against another, to rise to the political platform at the expense of the unfortunate and the most disadvantaged group in our society.

I agree that we should look at all programs in an objective way. As the member for Spence has said, that must be done objectively and not in the context of the people whom those programs involve. If there is a particular need for a group in Australia, whether they be Aboriginal or from a non-English speaking or an Anglo-Saxon background, a responsible Government must address that need. No-one can doubt that the Aboriginal community is one of the most disadvantaged groups in our society. Look at the infant mortality rate and their life expectancy, which is about 21 years less than that of other Australians.

Those things must be addressed. Once they have been addressed we will have a fair, equitable and just society. If we do not look at it from that perspective, I think we will be negligent as a Government, as a Party and as members of this place. We have no right as politicians to provide ourselves with opportunistic political platforms which have the potential to destroy the wellbeing of the community. We are part of a mosaic picture. We must have a vision, because without one we are just colour and texture, but we must have a commitment to build a picture for all Australians. The Pauline Hansons and Graeme Campbells of this world have no vision, no concept of the true composition of Australia, no concept of the contribution that is made, and their comments must be condemned by fair-minded Australians such as ourselves. It gives me great pleasure to support the Premier's motion.

**The Hon. FRANK BLEVINS (Giles):** I, too, support the motion. For the benefit of the member for Spence, who spoke so eloquently earlier—

*Mr Atkinson interjecting:*

**The Hon. FRANK BLEVINS:** No, I will come to another thing that you said in a moment. The honourable member was eloquent but wrong. Regarding the number of migrant groups in his electorate, I point out that at the last count in the electorate of Giles the number of nationalities was 64. I do not know how many the electorate of Spence has, but the number is unlikely to be greater than that. This debate has been prompted by the election and subsequent maiden speech of the member for Oxley. I think the member for Oxley was both wrong and rude, and both those things ought not pass without comment. I think there is an obligation at least to get the facts right. The opinion that you draw from those facts is up to you, and you can argue it, but you should at least get the facts right.

Many of the statements of the member for Oxley were not based on fact but on prejudice, and in such an important debate that is a pity. The fact that the member for Oxley was rude in the way in which she expressed her views is also inexcusable, but I think also that many people have been rude in reply. It is also inexcusable constantly to put down the member for Oxley as a mere fish and chip shop owner, and to use that fact as something with which to denigrate her. The people who do that are almost as bad as she is. However, the issues that she has raised are worthy of debate in the community. This debate arises from time to time. It involves serious issues, and I have no difficulty whatsoever with debating those issues with her or with anyone else.

When I said that the facts were wrong, to say at the very least that Aborigines are not disadvantaged is just silly.



Clearly, they are an extremely disadvantaged group in our community. It would not take more than five minutes of research in the Parliamentary Library for the member for Oxley to ascertain the infant mortality rate, the longevity statistics, some information on diseases that are still rife in Aboriginal communities and have been virtually wiped out in mainly European communities in Australia, the unemployment rate, the rate of imprisonment, the quality of housing, and wealth accumulation. Quite frankly, all these areas for the bulk of Aborigines in Australia are absolute disaster areas.

The failure of our community to do something meaningful about them is something of which we should be ashamed. I agree completely with the member for Spence. I, too, do not feel any guilt about what happened 100 or 200 years ago but, having been a member of Parliament for 20 years, the effect that I have had on the wellbeing of the most disadvantaged group in our community has been pitiful. So, I feel that I am a failure in that regard, and I think we all ought to feel the same way. I heard during the last few days that World Vision has moved into some of these Aboriginal communities. At first, the Federal Minister for Health was a little disconcerted to hear this, but then he thought, 'If no-one else is going to do it, why shouldn't they?' I predict very confidently that other international agencies such as medical aid organisations will move into Australia and try to clean up some of the illnesses in our Aboriginal communities, because it is quite clear that, to date, Australians have not been able to do it.

If the overseas agencies get a mind to do it, as World Vision has already, I say, 'Good luck to them.' I feel utterly ashamed that in a nation as rich as ours those international agencies will have to come in and sort out some of our problems. With the Olympic Games coming here in the year 2000, there will be many eyes on Australia, and Australians have some cause for concern.

I will put my point of view on immigration. I have a much more liberal view on immigration than has my Party. As I have said in this House before, I think we have lost a wonderful opportunity to bring a significant number of people to Australia from Hong Kong when Hong Kong reverts to the rule of the Chinese Government. I have that view, which is a lot more liberal than that of my Party. Nevertheless, the member for Oxley is by far in the majority. There is not the support for immigration in Australia today that there was in the past. To suggest that that is not the case is simply to stick your head in the sand. The bulk of Australia no longer wants migrants to come to this country, as they do not see them benefiting this country any longer. I disagree with that view, but that debate must be joined. The Prime Minister is to be condemned for not joining in that debate immediately. The sooner we have this debate in a proper manner the better.

One of the reasons why general support for immigration has waned is obviously unemployment. It is seen as a straight swap: people coming to Australia and taking jobs away from the unemployed. That is far too simplistic; I do not adhere to that argument. Since we have had non-discriminatory immigration, racist views have flowered among a number of people in Australia. There is no doubt about that. You only have to move around—not so much in this State, I am happy to say—New South Wales, Queensland, the Northern Territory and Western Australia to know that you are kidding yourself if you suggest that there is not a large number of people in Australia who do not like Asians. A large number of people hold that view. Let us have that debate. If the migrants who came here were all northern European, we

would not hear half as much discussion in the tenor we have heard.

Apart from the benefits of migration, people ought to realise that the level of migration is so low that we are talking about virtually replacing only those who are leaving Australia on a permanent basis. Anybody who knows the slightest bit about economics would know that, if you do not have an expanding economy, you really are in trouble—even maintaining your standard of living. People might be saying, 'No more migration' but it will result in a decreasing population in Australia. A lot of the green groups say that, but I hope they know the consequences of that for everybody's standard of living. That is a legitimate debate, and it is one that ought to be held, but with a certain civility. At present, the member for Oxley—apart from anything else—has forgotten her manners.

I want to mention one other matter that was raised by the member for Spence, that is, the necessity for the Vietnamese to be here. The member for Spence said that Australia was quite right in fighting the Vietnam War on the side of the South Vietnamese, because we were fighting communism. The member for Spence is probably the last person on earth who believes that. Even President Johnson and his Secretary of State (McNamara) stated quite clearly that they did not believe that for a moment, and that has been borne out in documents and tapes that have come forward from President Johnson. McNamara said that they were wrong, and even Malcolm Fraser said that they were wrong. I am waiting only for a motion before this House apologising to the people of Vietnam for our behaviour at the time. Nevertheless, it is nice to see that at least there is one person on earth who still adheres to those kinds of values, I think for curiosity value alone.

**Mr Atkinson:** The Premier is on my side.

**The Hon. FRANK BLEVINS:** Well, I'm sorry if I am wrong; it is not only the member for Spence. If it is the member for Spence and the Premier, I do not think that dilutes my argument at all. I support the motion. I am only sorry that a similar motion has not been moved by the Prime Minister in the Federal Parliament. It is certainly a debate worth having. It is a debate I am quite happy to have and on which I am quite happy to put forward my views. I believe those views are correct and ultimately will attract the majority—although I concede at present that that is certainly not the case.

**Ms GREIG (Reynell):** Like other members, I also support the motion put forward by our Premier, and I commend his stand on affirming the truly Australian belief in a fair go for all. I must admit that it is a sad reflection on our society when we in this House must assure our community that they and we are all part of one Australia. We are Australians. It does not matter what colour we are, what creed we may or may not practise or where we were born. This is what makes us Australian—our diversity, our differences and our tolerance of cultures that complement and add to a lifestyle to which we are so accustomed.

Like a number of my colleagues, my friends and many people in the wider community, I am a card carrying Australian. I have a citizenship document that affirms my commitment to this country—a country that was not my place of birth but is still my home and the home of my children. Multiculturalism is an Australian way of life. Our history clearly depicts this. We only have to ask ourselves, 'What is an Australian?' Most in this House can trace their forebears

to many parts of the planet. There was not a block of white anglo-celtics who appeared out of nowhere and who can call themselves the roots of the Australian people. Our cultural heritage is not without blemish, but it is one we can and have learned from.

Our history is of two peoples—those non-indigenous people who came by ship from Britain, many parts of Europe and from Asian countries and, of course, we have a long history of indigenous Australian people. I have no need to reflect on the early perils of the two cultures, as we have learned from our ancestors, and many changes have taken place. However, in saying this, I am not hiding from the fact that all of society does not share these values. I am not ignorant of the minority racist views that taunt society from time to time. I am well aware of recent intimidation faced by members of the Jewish community, and I have not closed my eyes to the poverty that exists in many Aboriginal communities. Shamefully, I will admit that it has taken far too long for Parliaments of our nation to recognise the needs and rights of indigenous people.

I should like to note the significance of the unanimous decision of our Federal Parliament which in 1991 voted for the formation of the Council for Aboriginal Reconciliation. The acceptance of this motion was one significant step towards a time when the people of Australia will be as one. Reconciliation, even with its hiccups and the uneasiness perceived by some, is the fundamental mortar that will bind us together, strengthening our efforts in living and working together as one community. Our Federal Parliament has recently had to contend with the views of a new member who has to remember that she is there to represent the views of her entire electorate, not just the white Anglo-Celtic proportion. She may have a relevant point of view. She may be expressing a point of view that the media enjoy feeding on but, as a representative of the people, is not her job, like mine, to ensure that all members of the community are treated fairly and with respect?

Unemployment and immigration are issues of debate that face every Parliament at some stage all over the world. Up until now, however, the debate in the Australian Parliament has focused on issues at hand. For years after the Second World War Australia, with tolerance and without any serious racial bigotry, absorbed migrants from many countries.

Australia knew that a large migration program was important to our future. It has been well documented that immediate pre-war unemployment was at 30 per cent. However, post war Australia knew that, if we were to grow as a country, we needed a considerable immigration policy. After 1949 the Menzies Government maintained and increased immigration. The then white Australia policy was steadily relaxed until the early 1960s when for all practical purposes it was abolished.

Australia absorbed migrants from eastern Europe, Italy, Greece, the Netherlands, Germany and Britain. By and large, Australia has accommodated each new wave of migration, including Asian migration, harmoniously and in good spirit. Today, however, the debate has changed. Today there is an ugliness about the debate. Migrants, Asians in particular, are blamed for unemployment, for taking Australian jobs. Somewhere in the argument, we—and by 'we' I do not mean everyone—have forgotten a piece of our history that was going to and did change the world as we knew it—the industrial revolution.

If we follow our industrial history and look at the history and the events that have shaped the latter part of this century,

most people would see unemployment as the consequence of a global economic revolution. Whether our country or, in fact, other Western nations will ever return to full employment so that everyone can experience the dignity and self esteem that comes with self reliance is a question many leading decision makers are burdened with and have been for some time.

Also we have to acknowledge that it is not immigrants who have caused unemployment, but it could have something to do with the way this country's affairs have been managed. Immigration has not contributed to economic inadequacy. I think it was Malcolm Fraser who said, 'Australians need to realise that, by reducing immigration (for instance, during the 1980s), we may well have increased the problems of today's unemployment by lowering expectation of future growth.' However, the consequence would have been less business investment, fewer opportunities and even fewer jobs.

I, like many South Australians, recognise and accept our multicultural society. I value the significant contribution which continues to be developed, irrespective of racial or ethnic background. I should like to acknowledge some great Australians, such as Dr John Yu, Cathy Freeman, Dame Joan Sutherland and Ian Kiernan. They have different backgrounds and different achievements, but they are equally respected and acknowledged as Australian leaders in their respective fields and, again, they are all truly Australian.

I do value the right to free speech, the right to express one's views and opinions, but the right to one's freedom of speech should also acknowledge another's right not to be intimidated or abused by this right. This right should not include the right to create fear or build on hatred and, most importantly, within this right of free speech is the obligation to present a just and fair argument. Earlier I asked what is an Australian. I should like to conclude by saying that Australians comprise one people of great diversity. It is a conglomeration of culture and religion, a people young in history, cosmopolitan, vibrant and tolerant. That is a real Australian.

**The Hon. DEAN BROWN (Premier):** I appreciate the contribution by members and appreciate the very strong support for this motion from those members who have spoken during the debate. It does reaffirm our commitment as a State Parliament to the principles of multiculturalism and Aboriginal reconciliation. It does reaffirm our view as a State that we believe that all South Australians should have a fair go, that there should be no discrimination, regardless of the colour of the skin or of the race of the person involved. It upholds the views that I put down in the principles for multiculturalism late last year.

I appreciate the way this Parliament has been prepared to come out against what has become almost a popular debate by a minority within our community in recent weeks who want to reintroduce elements of racism into the debate. I express my appreciation to members for their contribution and the obvious support that this motion will have. I therefore urge all members of the House to support the motion.

Motion carried.

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

That a message be sent to the Legislative Council transmitting the foregoing motion and requesting its concurrence thereto.

Motion carried.

*[Sitting suspended from 5.58 to 7.30 p.m.]*

### MATTER OF PRIVILEGE

**The SPEAKER:** Earlier today the member for Spence raised, as a matter of privilege, an alleged threat contained in a letter apparently sent to the member for Mitchell by the member for Peake. Having viewed the letter and spoken to the members concerned, I take the view that a *prima facie* case has not been made for a breach of privilege, and I decline to give the matter any precedence.

### PAY-ROLL TAX (SUPERANNUATION BENEFITS) AMENDMENT BILL

**The Hon. S.J. BAKER (Treasurer)** obtained leave and introduced a Bill for an Act to amend the Pay-roll Tax Act 1971. Read a first time.

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

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

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

Leave granted.

This Bill seeks to amend the definition of 'superannuation benefit' under the provisions of the *Pay-roll Tax Act 1971*. The amendment being proposed in this Bill is necessary to provide clarification to the intention of the legislation that the pay-roll tax base includes both contributions paid by an employer in respect of a funded superannuation fund or scheme, and the employer contributions that would be payable in respect of the accruing employer liability, as if the superannuation scheme were not an unfunded or partly funded arrangement.

The *Pay-roll Tax Act* was amended in 1994 to broaden the definition of 'wages' to include a 'superannuation benefit' provided by an employer on behalf of an employee. The 1994 amendment recognised that employer contributions towards superannuation are a component of the remuneration for labour, and it was considered no longer appropriate for the pay-roll tax treatment of this employment benefit to be treated differently from other components of remuneration.

The extension of the pay-roll tax base in 1994 was undertaken in concert with a reduction in the marginal rate of pay-roll tax from 6.1 per cent to 6.0 per cent.

The original amendment in respect of employer superannuation support was always intended to cover all superannuation arrangements, including those that were unfunded or partly funded. Unfunded or partly funded schemes are those where the employer does not fund for its contingent liability as the employee's retirement benefit accrues. However, legal opinion has indicated that in terms of the present wording of the definition of 'superannuation benefit' under the Act, there is an argument that the definition may not adequately cover an unfunded or partly funded arrangement. This technical deficiency has principally arisen in respect of universities, where some employees are members of the State Superannuation Scheme. In respect of university employees who are members of the State Scheme, the Commonwealth Government provides funding for a substantial part of the accrued liability when the employee retires.

This means that unless the *Pay-roll Tax Act* is appropriately amended to ensure that the tax liability also applies to employer contributions payable under unfunded superannuation arrangements, the three universities in particular, would be in a more favourable position with regards to pay-roll tax than other employers in South Australia.

Most employees belong to schemes where the employer contributes to a superannuation fund on an on-going basis as the benefit accrues.

To ensure that employers with unfunded or partly funded superannuation schemes are placed on the same footing as other employers, it is therefore proposed that the *Pay-roll Tax Act* be amended to make it clear that the tax base includes in all cases, contributions paid, or payable in respect of employees.

The proposed amendment also makes a more specific amendment to address the issue of the university employees who are members of the old or new schemes under the *Superannuation Act 1988*. The more general provision will cater for any other unfunded schemes which exist in the community.

Consultation has taken place with South Australia's three universities in respect of the proposed amendment.

I commend the Bill to the House.

*Clause 1: Short title*

This clause is formal.

*Clause 2: Commencement*

It is intended that the commencement of this proposed Act will be retrospective so that it will be deemed to have come into operation on 1 July 1996 (the commencement of the financial year).

*Clause 3: Amendment of s. 3—Interpretation*

New definitions of partly funded scheme of superannuation, superannuation benefit and unfunded scheme of superannuation are proposed to be inserted. The new definition of superannuation benefit retains most of the current definition with an addition. In the case of a person who is a member of the old or new scheme under the *Superannuation Act 1988* or of any other unfunded or partly funded scheme of superannuation, a superannuation benefit is the Treasurer's estimate of the contingent liability of the person's employer for superannuation benefits under that Act in respect of that person.

It is proposed to insert new subsections that set out how the Treasurer reaches an estimate of the above contingent liability of an employer. New subsection (3a) provides that, for the purposes of the *Pay-roll Tax Act 1971*, wages that are comprised of the Treasurer's estimate of an employer's contingent liability for superannuation benefits will be taken to be payable as soon as the contingent liability accrues.

New subsection (3b) sets out the assumptions on which the Treasurer's estimation must be based and provides further that the estimation must make allowance for the fact that the liability of the employer will effectively be reduced because part of the benefits paid to or in respect of the employee will be charged against the employee's contribution account.

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

### SOUTH AUSTRALIAN PORTS (BULK HANDLING FACILITIES) BILL

**The Hon. S.J. BAKER (Treasurer)** obtained leave and introduced a Bill for an Act to authorise the sale of bulk handling facilities at South Australian ports; to provide for access to bulk handling facilities on fair commercial terms; to amend the South Australian Ports Corporation Act 1994; and for other purposes. Read a first time.

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

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

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

Leave granted.

This Bill is to authorise and facilitate the sale of bulk handling facilities ('BHF's') situated at Port Adelaide, Port Giles, Wallaroo, Port Pirie, Port Lincoln and Thevenard presently owned and operated by South Australian Ports Corporation ('Ports Corporation').

It is intended that this asset sale will be concluded within the next few months.

The BHF's have been identified as an asset that should not be retained as part of the business of Ports Corporation and should be sold. There are a number of issues which mean that the BHF's are not an asset which should be retained within Government ownership:

- the BHF's are physically the last link in the export of South Australian grain. The grain industry is worth \$500 million to \$700 million per annum in exports. It is vital that the BHF's are maintained to support the industry. Based on current charges and cost structures, Ports Corporation would not be able to replace the BHF's at the end of their economic lives;
- the BHF's require substantial regular maintenance because of the harsh environment in which they operate. The condition of the BHF's is declining with age and corrosion so that significant capital expenditure will be required to maintain the BHF's and to meet safety and environmental regulations. The funding requirements are best met by a private owner rather than Government; and
- selling the BHF's will raise a substantial amount of money which can be used to retire State debt.

Under the Bill, the BHF's at the ports mentioned are declared to be chattels despite the fact that they are affixed to land. The Treasurer is authorised to sell them. In addition, the Treasurer, as agent for Ports Corporation, will grant long leases (100 years or so in each case) over land and air space occupied by each of the BHF's. As coastal land is involved, it is not proposed to sell it outright but merely to grant a lease so that the land involved will revert to the Crown at the expiration of the term or sooner determination of the lease in each case.

The jetties and wharves concerned will continue to be managed by Ports Corporation and will continue to be accessible to members of the public and available for use by fishing and other vessels—except where such uses are incompatible with operations for the loading of grain or other commodities.

In addition to facilitating the sale of the BHF's, the Bill will put in place an access regime under which other persons may negotiate with the operator of the BHF's for access to them for the purpose of loading ships with grain or other commodities such as salt and gypsum.

At the time of sale of the BHF's, it is proposed that haulage agreements will be entered into between existing users of the BHF's and the operator in order to preserve existing rights.

Under the access provisions, the operator of the BHF's is required to provide a bulk handling service on terms agreed or, if parties are unable to agree, on fair commercial terms determined by arbitration. The parties are required in the first instance to appoint an arbitrator but if they are unable to agree, the Minister may make the appointment.

An award made under Part 3 of the Bill is enforceable in the Supreme Court. Also, it may be varied or terminated by agreement with the operator or by further arbitration where the parties are unable to agree.

The access provisions are compatible with the Competition Principles Agreement made on 11 April 1995 between the Commonwealth, the States and the Territories relating to the making of consistent and complementary competition laws and policies throughout the Commonwealth.

I commend the Bill to honourable members.

#### PART 1 PRELIMINARY

##### *Clause 1: Short title*

##### *Clause 2: Commencement*

##### *Clause 3: Interpretation*

The bulk handling facilities covered by the Bill are the grain facilities at Port Adelaide, Port Giles, Wallaroo, Port Pirie, Port Lincoln and Thevenard. Other facilities may be added by proclamation.

#### PART 2 SALE OF BULK HANDLING FACILITIES

##### *Clause 4: Sale of bulk handling facilities*

This clause authorises the Treasurer to sell SA Ports Corporation's bulk handling facilities. The net proceeds of the sale are to be used in discharging the Corporation's liabilities and the balance to retire State debt.

##### *Clause 5: Statutory easement*

This clause creates an easement in favour of the purchaser of bulk handling facilities for support for the facilities and for necessary access to the facilities.

##### *Clause 6: Registrar-General to note statutory easement*

This clause enables the Treasurer to apply to the Registrar-General to have the statutory easement noted on relevant titles.

##### *Clause 7: Leases and other rights in relation to land*

This clause authorises the Treasurer to act as agent of SA Ports Corporation in selling, leasing or granting other rights over or in respect of land of the Corporation.

#### PART 3 CUSTOMER ACCESS TO BULK HANDLING FACILITIES

##### Division 1—Basis of customer access

##### *Clause 8: Access on fair commercial terms*

The operator of bulk handling facilities is required to provide services to customers on agreed terms or, in the absence of agreement, on fair commercial terms determined through arbitration.

##### Division 2—Disputes about terms of access

##### *Clause 9: Proposal for access*

A person seeking access to the facilities is to put up a written proposal to the operator. The proposal may include alterations or additions to the facilities. The operator must give information about the proposal to other customers who may be affected by it.

##### *Clause 10: Duty to negotiate in good faith*

Negotiations are to proceed in good faith and on the basis that the reasonable requirements of the proponent are to be accommodated as far as practicable.

##### *Clause 11: Existence of dispute*

A dispute is to be taken to exist if agreement has not been reached within 30 days.

##### Division 3—Reference of dispute to arbitration

##### *Clause 12: Power of parties to refer dispute to arbitration*

Once a dispute exists the parties have 60 days within which to jointly appoint an arbitrator.

##### *Clause 13: Minister's power to refer dispute to arbitration*

If the parties cannot agree on an arbitrator or have not done so after 60 days, either party may within 90 days of the dispute arising ask the Minister to appoint an arbitrator.

##### *Clause 14: Appointment of fresh arbitrator*

This clause allows for appointment of a replacement arbitrator if an arbitration is not able to be completed for any reason.

##### *Clause 15: Application of Commercial Arbitration Act 1986*

The *Commercial Arbitration Act* is to apply to the extent that it can apply consistently with the Bill.

##### Division 4—Parties and representation

##### *Clause 16: Parties to the arbitration*

The parties to an arbitration are the proponent, the operator and any interested third parties and any other persons joined as parties on the basis that their interests may be materially affected by the outcome of the arbitration.

##### *Clause 17: Representation*

Parties may be represented by lawyers or, if the arbitrator agrees, by other representatives.

##### *Clause 18: Minister's right to participate*

The clause authorises the Minister to participate in arbitrations.

##### Division 5—Conduct of arbitration

##### *Clause 19: Arbitrator's duty to act expeditiously*

The arbitrator is required to proceed expeditiously.

##### *Clause 20: Hearings to be in private*

The parties must agree before a hearing can be conducted in public. The arbitrator is authorised to control who may be present at private proceedings.

##### *Clause 21: Procedure on arbitration*

The arbitrator is authorised to obtain relevant information in any way the arbitrator thinks appropriate and may decide what evidence must be written and what oral.

##### *Clause 22: Procedural powers of arbitrator*

This clause contains various procedural and evidentiary powers facilitating arbitrations, including authorising the arbitrator to seek expert or legal advice.

##### *Clause 23: Power to obtain information and documents*

The arbitrator is authorised to require information to be provided or persons to attend to give evidence. Legal professional privilege and the privilege against self incrimination apply.

##### *Clause 24: Confidentiality of information*

The arbitrator is authorised to impose conditions about the confidentiality of information.

*Clause 25: Proponent's right to terminate the arbitration before an award is made*

The proponent may terminate the arbitration by giving notice to the Minister, the arbitrator and the other parties to the arbitration.

##### *Clause 26: Arbitrator's power to terminate arbitration*

The arbitrator may terminate the arbitration if satisfied the matter is trivial, misconceived or lacking in substance or the proponent has not negotiated in good faith or the terms and conditions of an existing contract or award should continue to govern the matter.

##### Division 6—Awards

##### *Clause 27: Formal requirements related to awards*

The award is required to specify the period for which it remains in force and the reasons on which it is based.

##### *Clause 28: Principles to be taken into account by arbitrator*

The arbitrator is required to take into account various commercial and competition principles.

##### *Clause 29: Incidental legal effect of awards*

An award may vary the rights of other customers so long as they continue to be able to meet their reasonably anticipated requirements and are compensated appropriately.

An award may require facilities to be extended with certain protections to the operator (including that the operator cannot be required to bear the cost).

##### *Clause 30: Consent awards*

A consent award may be made if the arbitrator is satisfied the award is appropriate in the circumstances.

*Clause 31: Proponent's option to withdraw from award*

The person seeking bulk handling services has 7 days within which to elect not to be bound by the award. Any further proposals within the next 12 months by the person would require Ministerial authorisation.

*Clause 32: Termination or variation of award*

The parties may agree to terminate or vary an award. If the parties cannot agree and there has been a material change in circumstances, the matter can proceed to arbitration.

## Division 7—Enforcement of award

*Clause 33: Contractual remedies*

An award is to be enforceable as a contract.

*Clause 34: Injunctive remedies*

The Supreme Court may grant an injunction to ensure an award has effect on the application of the Minister or a person with a proper interest in whether the relevant provision is complied with.

*Clause 35: Compensation*

The Supreme Court may order compensation to be paid by a person involved in the contravention of an award on the application of the Minister or an interested person.

## Division 8—Appeals and costs

*Clause 36: Appeal from award on question of law*

An appeal to the Supreme Court against an award or refusal to make an award may only be made on a question of law.

*Clause 37: Costs*

Costs are generally to be borne by the parties in equal proportions unless the arbitrator orders otherwise.

## Division 9—Expiry of Part

*Clause 38: Expiry of Part*

The Part is to expire after 10 years but it can be renewed for further periods not exceeding 10 years by proclamation.

## PART 4

## MISCELLANEOUS

*Clause 39: Bulk handling facilities to be regarded as chattels*

Bulk handling facilities are to be treated as chattels regardless of the extent of their affixation to land.

*Clause 40: Interaction between this Act and other Acts*

Various provisions of other Acts are not to apply to transactions under the Bill.

*Clause 41: Hindering access*

This clause makes it an offence to prevent or hinder a person gaining access to a bulk handling service to which the person is entitled.

*Clause 42: Accounts and records of bulk handling service*

This clause requires an operator to keep separate accounts and records for each bulk handling facility.

*Clause 43: Regulations and proclamations*

This clause provides general regulation making power and allows proclamations (other than the commencement proclamation) to be varied or revoked.

## SCHEDULE

*Amendment of South Australian Ports Corporation Act 1994*

The schedule amends the *South Australian Ports Corporation Act* to broaden the purposes for which land may be resumed and vested in the Corporation; to facilitate vesting of land not previously brought under the *Real Property Act 1886*; and to extend the concept of land to a subsurface stratum or a stratum of airspace.

Mr ATKINSON secured the adjournment of the debate.

**POLICE (CONTRACT APPOINTMENTS)  
AMENDMENT BILL**

The Hon. S.J. BAKER (Minister for Police) obtained leave and introduced a Bill for an Act to amend the Police Act 1952. Read a first time.

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

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

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

Leave granted.

This Bill contains amendments to the *Police Act 1952*. The amendments are designed to allow for the Commissioner of Police, the Deputy Commissioner of Police and Assistant Commissioners of Police to be employed on contract.

Presently the Commissioner of Police and the Deputy Commissioner of Police are appointed and hold office until they either

die, resign, or retire upon attaining the age of 65 years, or if they are removed from office for incompetence, neglect of duty, misbehaviour or misconduct, or mental or physical incapacity.

Assistant Commissioners are appointed and hold office unless they resign, retire or are dismissed for a proven breach of regulations, or physical or mental incapacity.

The Government in line with its policy of best practice standards across government intends that the positions of Commissioner of Police, Deputy Commissioner of Police and Assistant Commissioners be filled by the best person and that there is provision for ongoing management development.

There has been a trend in other Australian States, namely Northern Territory, Western Australia, New South Wales, Queensland and the Australian Federal Police to move towards filling senior positions on a contractual basis and generally advertising nationally and in some cases internationally to attempt to fill these positions. The process in other States has been to fill such positions for a term of say 3, 5 or 7 years. Three years would seem to be too short for anybody to effectively achieve significant aims and outcomes. Five or seven years is a more realistic and desirable length of time to allow the incumbent to effectively manage the force. The Public Sector Management equivalent for the appointment of chief executive officers in South Australia is five years.

Moving the Commissioner of Police, the Deputy Commissioner of Police and Assistant Commissioners to contract employment will bring the South Australia Police, into line with the rest of the public sector and some other State and Territory police forces.

The Bill will bring the role of the Commissioner of Police, the Deputy Commissioner of Police and Assistant Commissioners in line with executive officers under the Public Sector Management Act where it is appropriate. In particular the following section of the Public Sector Management Act is applicable.

Section 10(4) of the *Public Sector Management Act* provides that, the Chief Executive Officer will be entitled to some other specified appointment in the Public Service. . . in the event that he or she is not re-appointed at the end of the term of appointment or in other circumstances specified in the contract

It is not appropriate to relocate either the Commissioner of Police or the Deputy Commissioner of Police to another appointment in the Public Service. Therefore, the Commissioner of Police and Deputy Commissioner of Police will be subject to a five year contract with a renewal option. At the end of the five years the member will either cease to be Commissioner or Deputy Commissioner or be reappointed.

Clause 7 enumerates the issues that the contract for the Commissioner of Police must specify. These are:

- a term not exceeding five years with option to renew
- that the Commissioner meet the performance standards as set by the Minister
- remuneration and other benefits
- sums representing the values of the benefits (other than remuneration)
- total remuneration package value

Clause 8 allows for the appointment of a Deputy Commissioner of Police and clause 9 allows for the appointment of Assistant Commissioners.

Clause 9A specifies the conditions of appointment of the Deputy and Assistant Commissioners of Police to be set with the Commissioner of Police. These are:

- a term not exceeding five years with option to renew
- performance standards as set by the Commissioner
- remuneration and other benefits
- sums representing the values of the benefits (other than remuneration)
- total remuneration package value

Clause 9B allows the Governor upon certain ground to terminate the appointment of either the Commissioner, Deputy or Assistant Commissioners. They are:

- guilty of misconduct
- convicted of an offence punishable by imprisonment
- engaged in remunerative employment, occupation or business outside the duties of the position without the consent of the Minister
- becomes bankrupt
- due to mental or physical incapacity has failed to carry out the duties of the position satisfactorily or failed to meet performance standards

· for any other reason failed to carry out the duties of the position satisfactorily or to the performance standard specified in the contract

Clause 9A(5)(a)-(d) allows for an Assistant Commissioner who is not reappointed to revert to their previous rank held within the South Australia Police or if the Assistant Commissioner did not hold a previous rank within South Australia Police then their employment ceases.

The appointment of the Commissioner of Police on contract will permit greater accountability to the community through the government process. In a similar manner the employment of the Deputy and Assistant Commissioners on contract will provide the Commissioner of Police with the ability to manage the performance of the most senior officers of the Police Force.

*Clause 1: Short title*

This clause is formal.

*Clause 2: Commencement*

The measure is to be brought into operation by proclamation.

*Clause 3: Amendment of s. 4—Interpretation*

This clause makes amendments to various definitions contained in section 4 of the principal Act. The amendments are all consequential on the new provisions proposed by *clause 4* which would make Assistant Commissioners of Police subject to appointment and termination processes similar to those to apply to the Commissioner and Deputy Commissioner. As a result, Assistant Commissioners would no longer be subject to the general provisions applying to commissioned officers.

*Clause 4: Substitution of ss. 6 to 9C*

Proposed new section 6 (*Appointment of Commissioner of Police*) provides for appointment of the Commissioner of Police by the Governor.

Proposed new section 7 (*Conditions of Commissioner's appointment*) introduces a process for the conditions of appointment of the Commissioner to be subject to a contract between the Commissioner and the Premier.

As with appointments of Chief Executives under the *Public Sector Management Act 1995*, such a contract must specify—

- that the Commissioner is to be appointed for a term not exceeding five years specified in the contract and is eligible for reappointment
- that the Commissioner is to meet performance standards as set from time to time by the Minister
- that the Commissioner is to be entitled to remuneration and other benefits specified in the contract
- the sums representing the values of the benefits (other than remuneration)
- the total remuneration package value of the position under the contract.

The clause requires that the decision whether to reappoint to the position at the end of a term of appointment must be made and notified to the Commissioner not less than three months before the end of the term.

As in the current provision of the principal Act, the remuneration and other monetary benefits under the contract are to be a charge on the Consolidated Account of the State which is to be appropriated to the necessary extent.

Proposed new section 8 (*Deputy Commissioner*) provides for appointment of a Deputy Commissioner of Police by the Governor.

Subclauses (2) and (3) correspond to existing provisions of the principal Act.

Subclause (2) provides that the Deputy Commissioner must exercise and perform such of the powers, authorities, duties and functions of the Commissioner as the Commissioner may direct (either generally or in a special case).

Subclause (3) provides that when the Commissioner is absent from duty because of illness or for any other reason, or during a vacancy in the office of the Commissioner, the Deputy Commissioner may exercise and perform all the powers, authorities, duties, and functions conferred or imposed on the Commissioner by or under any Act.

Proposed new section 9 (*Assistant Commissioners*) provides for appointment by the Governor of as many Assistant Commissioners of Police as the Governor thinks necessary.

As under the existing provisions of the principal Act, when the Deputy Commissioner is absent from duty because of illness or for any other reason, or during a vacancy in the office of the Deputy Commissioner, the Assistant Commissioner who is the most senior Assistant Commissioner on duty at the time may exercise and

perform all the powers, authorities, duties and functions conferred or imposed on the Deputy Commissioner.

Proposed new section 9A (*Conditions of appointment of Deputy and Assistant Commissioners*) provides that the conditions of appointment of the Deputy Commissioner or an Assistant Commissioner are to be subject to a contract between the Deputy or Assistant Commissioner and the Commissioner.

Any such contract is to have the same features as are proposed for the contract for the Commissioner.

Performance standards for the Deputy and Assistant Commissioners will be as set from time to time by the Commissioner. The decision whether to reappoint to the position at the end of a term of appointment must be made and notified to the Deputy or Assistant Commissioner not less than three months before the end of the term.

As for executive positions in the Public Service, if the contract so provides, an Assistant Commissioner will be entitled to some other specified appointment in the police force in the event that he or she is not reappointed at the end of a term of appointment or in other circumstances specified in the contract.

Alternatively, if there is no contract provision dealing with the matter and no contract provision excluding such an arrangement, an Assistant Commissioner not reappointed at the end of a term of appointment will be entitled to be appointed to a position in the police force of the same rank as the position he or she held immediately before being first appointed as an Assistant Commissioner.

Proposed new section 9B (*Termination of appointment of Commissioner or Deputy or Assistant Commissioner*) sets out the grounds for such termination which is to be a matter for the Governor. The grounds will be that the Commissioner or Deputy or Assistant Commissioner—

- has been guilty of misconduct
- has been convicted of an offence punishable by imprisonment
- has engaged in any remunerative employment, occupation or business outside the duties of the position without the consent of the Minister
- has become bankrupt or has applied to take the benefit of a law for the relief of insolvent debtors
- has, because of mental or physical incapacity, failed to carry out duties of the position satisfactorily or to the performance standards specified in the contract relating to his or her appointment
- has, for any other reason, failed to carry out duties of the position satisfactorily or to the performance standards specified in the contract relating to his or her appointment.

Resignation from the position of Commissioner or Deputy or Assistant Commissioner is to be by not less than three months notice in writing to the Minister (unless notice of a shorter period is accepted by the Minister).

*Clause 5: Amendment of s. 10—Appointment of officers*

This is a consequential amendment.

*Clause 6: Transitional provisions*

The amendments made to the principal Act by the measure are to apply only in relation to an appointment of a Commissioner, Deputy Commissioner or Assistant Commissioner made on or after the commencement of the measure.

The existing provisions of the principal Act are to continue to apply in relation to the holder of such a position appointed to that position before the commencement of the measure.

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

## ADOPTION (MISCELLANEOUS) AMENDMENT BILL

**The Hon. D.C. WOTTON (Minister for Family and Community Services)** obtained leave and introduced a Bill for an Act to amend the Adoption Act 1988. Read a first time.

**The Hon. D.C. WOTTON:** I move:

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

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

Leave granted.

The *Adoption (Miscellaneous) Amendment Bill* is a Bill to amend the *Adoption Act 1988*.

The *Adoption Act 1988* arose as a result of a gradual yet major shift in societal attitudes towards adoption.

Adoption, throughout history, has been characterised by periods of openness and secrecy. In South Australia, prior to the introduction of legislation in 1926, adoption was not a secret process. Indeed, adopted children were able to retain their birth names and usually retained the rights to inherit from their birth parents. The beginnings of secret adoption, such that relinquishing parents could no longer know the identity of their children, emerged in 1937. Until 1945 however, adoptive parents knew the identity of relinquishing parents and until 1966, adult adoptees were able to access their original birth certificates.

Total secrecy in adoption was introduced in 1966. From this time, adopted children were ostensibly treated as if born into the adoptive family, accruing full inheritance rights from their adoptive parents and losing the right to inherit from their birth families. The period from 1966 to 1988 saw full secrecy as the norm in adoption practice in South Australia although it is significant to point out that the *Adoption of Children Act 1966* still retained the capacity for openness if all parties were in agreement.

In 1987 legislation was introduced into this House which challenged the notion that secrecy was in the best interests of adopted children and indeed, of all parties to the adoption. It had become a widely accepted view in the community, and beyond, that knowledge of one's heritage and biological links played a significant role in the development of a person's identity and self-esteem. There was a strongly held belief in the community that individuals had the right to access information concerning their heritage.

There was a widely held view that the *Adoption of Children Act 1966* was representative of philosophies and values relating to secrecy that were no longer applicable to the changing times of the 1980s.

When passed, the *Adoption Act 1988* was considered progressive and innovative. It followed a period of extensive research and consultation and was thought to be widely representative of community views.

The *Adoption Act 1988* was introduced to keep pace with national and international trends towards more openness in the area of adoption.

For the first time in South Australia, the *Adoption Act 1988* allowed both parties affected by past adoptions to gain access to identifying information about themselves, their heritage, or their relinquished children. It heralded a significant shift away from the secrecy of the past into a new spirit of openness and change.

The *Adoption Act 1988* also created a balance between the right to access personal information and the right to privacy. This was particularly important given that past adoptions had been conducted under a climate of secrecy where the parties were guaranteed lifelong anonymity. The capacity of the legislation to respect the rights of those persons seeking to retain their privacy was considered essential if the legislation was to work and indeed, if the legislation was to be truly representative of the needs of all parties.

As such, restrictions on the release of information relating to past adoptions, known as vetoes, are a key feature of the *Adoption Act 1988*.

As all members of the House are aware, it is important that legislation such as this is both flexible and fluid. Fluid in that it must endeavour to stay abreast with changes over time and sufficiently flexible to meet the needs of individual situations. This is particularly important when legislation is reflective of social policy and changing societal views.

With factors such as these in mind, and given that the legislation related to such a sensitive area, an agreement was made to review the *Adoption Act 1988* after a period of five years of operation. This agreement had bi-partisan support.

The Review Committee was established in May 1994. Its task was to review selected parts of the *Adoption Act* and to make suggestions concerning legislative change.

Its terms of reference included a request to review the information rights of individuals affected by past adoptions. It was also required to review definitions in the Act; to update its general principles; and to ensure that the Act is consistent with other pieces of new legislation and international agreements. A number of miscellaneous topics were also considered.

The Review Committee conducted a wide-ranging community consultation process. Approximately two hundred submissions were received, representing a broad spectrum of views. The vast majority of submissions received related to release of information provisions. Many of the submissions were made on behalf of groups of people affected by adoption.

In response to the submissions received, the Committee produced a series of 26 recommendations which have been considered in detail in the preparation of this Bill.

In addition, during the course of the Review and following the release of the Review Committee's findings, I have received further submissions from various individuals, groups and organisations associated with adoption. These have been taken into account in the drafting of the proposed amendments.

I also recognise that in the area of adoption, with a history characterised by secrecy and shame, there are silent parties whose views need to be considered. There is no doubt that there are many individuals affected by adoption who may have been reticent to respond to a community consultation process, or indeed, to express their views to politicians and others, for fear of exposure.

I also envisage that there are many individuals affected by past adoptions who, for various reasons, are unaware of the current process of review and therefore have not been heard.

The *Adoption (Miscellaneous) Bill 1996* which is before the House is therefore based in part upon the recommendations of the Review Committee and, in part, upon the submissions on this topic that I have received during my time in office. It also attempts to consider the needs of all parties affected by past adoptions, not solely those who were able to speak out.

The Bill which is before this House aims to achieve the following:

- To balance the rights and needs of all parties affected by adoption, both past and present, in relation to access to information provisions.
- To comply with the *Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption* which is due to come into force in Australia later this year.
- To ensure that children are afforded the opportunity to be heard in judicial proceedings in keeping with the *United Nations Convention on Rights of the Child*.
- To bring the *Adoption Act 1988* in line with recent changes in the *Family Law Act* and other pieces of legislation.
- To propose a series of miscellaneous amendments which reflect changes in current adoption practice and which aim to further clarify existing provisions.
- To abolish the Adoption Panel and institute a broader based approach to consultation.
- To give jurisdiction to the Youth Court to hear all matters relating to adoption.

#### ACCESS TO INFORMATION PROVISIONS

Section 27 of the *Adoption Act 1988* contains provisions for open adoption and access to information. The *Adoption (Miscellaneous) Amendment Bill 1996* offers an updated version of this section of the Act which is more in keeping with current practice and views.

The proposed provisions retain the policy of the current Act in that a distinction is drawn between adoptions occurring prior to the commencement of the 1988 Act and those occurring after that date. Both in the current provision and in proposed Part 2A, all adult adopted persons and birth parents have a right to access information held by the Department but, in the case of adoptions occurring before the commencement of the 1988 Act, this is subject to a person's right to veto the release of information that would enable that person to be traced.

As members of the House are all aware, there exist inevitable tensions between the right to privacy and the right to access personal information. In adoption, the rights of three parties, struggle for attention. There are often differences between the needs and rights of birth parents, adoptees and adoptive parents which need to be balanced.

Few rights are absolute however, especially when they interfere directly with the rights of another person. This is of particular significance when dealing with the very delicate/sensitive/difficult area of the right to release or withhold personal information.

The *Adoption Act 1988* has provided the people of South Australia with an excellent foundation for balancing these competing rights.

It has strived to balance for example, the adopted persons right to access genealogical information, with the rights of the adoptive parent to parent without interference, and the rights of the birth parent to retain his or her privacy.

Likewise, the current legislation also attempts to balance, for example, the needs of an adopted person who wishes to preserve his or her privacy, with the needs of a birth mother who is desperate to find the child she relinquished as a teenager.

The Bill which is before the House represents a further refinement in the balancing of these legitimate but sometimes conflicting rights and interests. It addresses the needs of all persons affected directly by adoption and, wherever possible, does not afford greater rights to any adult party. In doing this, it maintains, of course, as its guiding principle, the interests of the child as the paramount concern in all proceedings.

The Bill contains a number of significant improvements to the provisions for accessing adoption information. Prior to outlining these, it is important to state that in making these changes, the essence of the current provisions remain. These provisions have been most successful in meeting the needs of the majority of people, and in creating a balance between privacy and access to information.

Adult adopted persons and birth parents will still be able to access information concerning past adoptions. This is in recognition of the fact that access to identifying information for adopted persons can be an important component in successful identity formation. It also acknowledges the need for birth parents to gain knowledge about the life and experiences of their relinquished child in order to be able to resolve their feelings of grief and loss. It is also important for some birth parents to reconnect with their relinquished children.

The Bill also retains the capacity to restrict the release of identifying information. These restrictions can be lodged for a period of time up to but not exceeding five years.

It is important to retain this provision in the Act to maintain and respect the rights of those persons who entered into an adoption with an assurance of confidentiality.

For example, many birth parents relinquished children in a social climate of shame and secrecy. A number of women, in particular, have carried the secret of that relinquishment for many years. They are often unable or unwilling to disclose this to their present family and friends. These women form part of the silent group to which I referred earlier whose needs must be included along with those of other parties.

Likewise, there are adopted persons who have no wish to explore information concerning their origins. These persons should have their rights to privacy respected and hence, truly representative legislation should be inclusive of their needs.

The most significant changes introduced by this Bill are as follows.

The needs of adoptive parents, the third party in the adoption triangle, have been considered and their rights clarified.

This is an innovative step in South Australia. The Review Committee received submissions from adoptive parents outlining their exclusion from the current legislation and their needs for privacy and greater recognition.

I too have received submissions from adoptive parents along similar lines. This Bill allows for the needs of adoptive parents to be incorporated for the first time. It affords them greater access to information, with permission, concerning the biological heritage of their adopted children. This information is considered important in assisting the adopted person in his or her transition into adulthood and healthy identity formation.

The Bill also allows adoptive parents wishing to preserve their privacy the right to limit the release of information concerning themselves, where the adoption occurred prior to the commencement of the Act. This is also an innovative step. It allows adoptive parents the right to have their privacy respected in so far as it does not prejudice the rights of the adopted person and birth parent to seek information about each other, and indeed, to make contact if they choose.

The Bill also extends a similar right to birth parents to access information concerning their relinquished child and the adoptive parents. This is subject, of course, to veto rights in respect of pre-1988 adoptions.

The Bill further provides for parties to have the option of exchanging information without prejudicing their rights to anonymity if they choose. This information exchange may take the form of a message, explanation, gift or any form of information that one party wishes to have passed on to the other.

The needs of descendants of adopted persons have also been considered. The Review Committee received a number of submissions from descendants of adopted persons unable to gain access to information concerning their heritage. Some descendants of adopted persons, for example, report experiencing a similar sense of genealogical bewilderment as that experienced by adopted persons themselves.

Members of the House will be aware that the *Adoption Act 1988* allows relatives of birth parents to access information with permis-

sion of the birth parent or upon production of the birth parent's death certificate.

There is no such equivalent provision for descendants of adoptees. The Bill which is before the House rectifies this imbalance and provides descendants of adopted persons the right to access information for the first time. Such access will be provided only with the permission of the adopted person or upon production of the adopted person's death certificate.

This recognises the importance of genealogical and biological links. It acknowledges the difficulties faced by relatives of adopted persons in gaining an accurate picture of their heritage. The proviso that such information is only released upon permission of the adopted person or upon production of the adopted person's death certificate is representative of the importance of protecting the privacy of the adopted person. Again, this represents a fair and balanced system in which privacy needs are well considered.

It has become clear that there is certain information that is of value in giving the adoptee knowledge of his or her origins and the birth parent knowledge of the adopted child's life after adoption. This may be information about, for example, physical attributes, education, employment, social and cultural background, health and welfare, or religious beliefs.

The Bill provides for the release of this information so long as it does not unjustifiably intrude into the privacy of any other person.

It also retains the very important proviso that enables a person to lodge a direction, known as a veto, which prevents the disclosure of any information enabling him or her to be traced. Again, this incorporates a balance between the right to privacy and the right to access information.

The Bill also provides for the opportunity for persons lodging restrictions of information requests to participate in interviews. These interviews will, of course, not be mandatory and will only be with the permission of the person lodging the veto.

Such interviews will be designed to assist the person to gain a full appreciation of the circumstances and ramifications of lodging such a restriction. This further provides the opportunity for those persons lodging a veto to outline their reasons for doing so, without the release of any identifying information. These reasons will only be released upon application by the other party.

Experiences interstate have shown that there is considerable merit in being able to provide recipients of vetos with information concerning the reasons for the information restriction. The helps to alleviate the disappointment associated with the denial of access to information.

There are a number of other important components of this Bill.

#### THE HAGUE CONVENTION

Social Welfare Ministers in the States and Territories are soon to sign the Commonwealth/State Agreement which will allow Australia to become a signatory to the *Hague Convention on the Protection of Children and Cooperation in respect of Inter-Country Adoption*. The aim of this Convention is to establish safeguards to regulate inter-country adoptions with the intention of eliminating the abduction and sale of children.

To comply with this Convention, only minor amendments to the *Adoption Act 1988* are required. Thus, the Bill provides for automatic recognition of adoption orders in relation to children who have been adopted from countries who are signatories to the Convention. It also provides for automatic recognition of consents to adoption given in accordance with the law of a Convention country where a child is being adopted from a non-Convention country, however, the issue of consent will be dealt with in the same way as for local adoptions.

The Bill also provides for consistency with the Commonwealth legislation currently being proposed to implement the Convention.

**UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD**  
Article 12 of the United Nations Convention on the Rights of the Child states that the child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

Clause 9 of the Bill provides that the opinion of any child over the age of five years should be ascertained by the Court and considered in the decision-making process relating to any adoption proceedings. In addition under clause 22, the opinion of the child is also provided for when negotiating adoption arrangements between birth parents and adoptive parents. These will be discussed later.

#### CONSISTENCY WITH OTHER LEGISLATION

Recent changes to the *Family Law Act*, effective from June 1996, have seen the terms custody, guardianship and access removed. Parents now have a broadly stated set of legal responsibilities



incorporated within the concept of 'Parenting Orders'. This impacts upon the *Adoption Act 1988* in relation to Section 10 which refers to guardianship as a preferred option to step parent adoption applications. The Bill provides for amendment to Section 10 to reflect this change in terminology.

The Bill also provides for amendments to the term 'guardian' to be consistent with the definition in the *Children's Protection Act 1993*.

#### MISCELLANEOUS AMENDMENTS

A number of other amendments are also proposed.

Clause 22 of the Bill provides for a system of negotiated arrangements between birth parents and adoptive parents in respect of new adoptions.

These are designed to allow birth parents and adoptive parents the opportunity to enter into written arrangements stipulating the wishes of either party in respect of the adoption. This allows parties an element of choice and control in relation to the extent of openness in the adoption. Thus, the arrangement may incorporate anything from on-going information exchange and the provision of regular photographs right through to access visits between the child and his or her birth parents.

Such arrangements are designed to be as flexible and as applicable to individual needs as is possible. These arrangements are entirely voluntary and are not legally enforceable.

The term 'parent' is used frequently in the *Adoption Act* to mean either 'birth' or 'adoptive' parent.

These terms have been specifically defined in the Bill to provide greater clarity in interpretation.

The term 'birth parent' has been included in preference to 'natural parent'. This removes the implication that an adoptive parent is in some ways an 'unnatural' parent to the child.

The Bill clarifies the position in relation to birth fathers by inserting a definition of 'birth parent' which makes it clear that paternity may be established under the *Family Relationships Act 1975*.

The Bill also includes a number of minor definition changes. The 'Department for Community Welfare' has been replaced with the 'Department for Family and Community Services'. 'Director General' has been replaced with 'Chief Executive'. The 'Court' is taken to refer to the 'Youth Court'.

The confidentiality provision of the Act is amended to provide for the release of information with the consent of the person to whom the information relates.

The Bill provides repeals Section 13 of the *Adoption Act* relating to adoption of persons over the age of eighteen years. Current adoption philosophies reflect the concept that adoption is a process of securing families for children who are in need of a permanent and legal alternative to their birth families.

This is not consistent with the adoption of adult persons. Where an adult wishes to be adopted into a family, there are currently sufficient existing means available to enable issues of inheritance and change of name to be addressed. It is not appropriate to use adoption as a vehicle for securing inheritance rights for adult persons.

The Bill also repeals Division 2 of Part 1 of the Act relating to the South Australian Adoption Panel. This was a recommendation of the Review Committee. This Panel was established under the 1988 legislation as an advisory body to the Minister. While it has served its purpose well in this role, there is now a need for greater flexibility in the advisory process. A broader consultative base across the community including organisations and individuals with a special interest in the area of adoption is needed. This is provided for in Clause 7 of the Bill.

These amendments, as outlined, form the essence of the *Adoption (Miscellaneous) Amendment Bill 1996*. This Bill is reflective of a changing society and is in keeping with the fluid nature of social attitudes. It builds upon the strong foundations of the *Adoption Act 1988*, particularly in relation to openness in the adoption arena. It acknowledges the competing rights and interests of those affected by adoption and creates a delicate and equal balance between the needs of all parties.

I commend the hard work of all of those involved in the Review and thank those individuals who saw fit to make submissions direct to my office.

I have pleasure in submitting this Bill to the House.

*Clause 1: Short title*

*Clause 2: Commencement*

These clauses are formal.

*Clause 3: Repeal of heading*

This clause is consequential to clause 5.

#### *Clause 4: Amendment of s. 4—Interpretation*

This clause makes a number of amendments to the definitions contained in the Act to—

- bring the terminology used in the Act up to date (ie. the new definitions of "birth parent" and "Chief Executive" and the amendment to the definition of "the Court");
- clarify what is meant by certain terms used in the Act but formerly not defined (ie. the new definitions of "adoptive parent", "Family Law Act 1975" and "guardian");
- provide for the operation in this State of the *Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption* (ie. the definitions of "the Convention" and "Convention country").

#### *Clause 5: Repeal of Division*

This clause repeals Division 2 of Part 1, which constituted the Adoption Panel.

#### *Clause 6: Repeal of heading*

This clause is consequential to clause 5.

#### *Clause 7: Insertion of s. 7A*

This clause inserts a new section 7A requiring consultation with appropriate persons and organisations in relation to the operation of the Act.

#### *Clause 8: Amendment of s. 8—General power of the Court*

This clause amends section 8 of the principal Act (which gives jurisdiction to the Youth Court) to indicate that Commonwealth law may impact upon adoptions involving Convention countries.

#### *Clause 9: Insertion of s. 8A*

This clause inserts a new section requiring the Court, before making an adoption order in relation to a child of 5 years of age or over, to consider the opinion of the child (taking into account the age of the child and other relevant factors).

#### *Clause 10: Amendment of s. 9—Effect of adoption order*

This clause clarifies the effect of an adoption order on vested or contingent proprietary rights acquired by the child before the making of the order. This provision was contained in the old *Adoption of Children Act 1966* but was omitted from the current Act.

#### *Clause 11: Amendment of s. 10—No adoption order in certain circumstances*

This clause amends section 10 of the Act to make the wording of that clause consistent with recent amendments to the *Family Law Act 1975* (by not specifically referring to guardianship orders under that Act).

#### *Clause 12: Amendment of s. 11—Adoption of Aboriginal child*

This clause amends section 10 of the Act to make the wording of that clause consistent with recent amendments to the *Family Law Act 1975* (by not specifically referring to guardianship orders under that Act).

#### *Clause 13: Amendment of s. 12—Criteria affecting prospective adoptive parents*

This clause makes minor amendments to section 12 of the Act to clarify the intention of that section.

#### *Clause 14: Repeal of s. 13*

This clause repeals section 13 of the Act, which deals with the adoption of a person aged between 18 and 20 years.

#### *Clause 15: Amendment of s. 14—Discharge of adoption orders on ground of fraud*

This clause amends section 14 to give the power to discharge an adoption order (because it was obtained by fraud, duress or other improper means) to the Youth Court rather than the Supreme Court.

#### *Clause 16: Amendment of s. 15—Consent of parent or guardian*

- This clause amends section 15 of the principal Act—
- to make it consistent with the Hague Convention by ensuring that the same rules apply in relation to consent to adoption, whether the parents/guardians are in Australia or overseas; and
  - to recognise that where the Chief Executive or the Minister is the guardian of the child, the requirements relating to witnessing of the consent and counselling should not apply.

#### *Clause 17: Amendment of s. 17—Consent given under law of another jurisdiction*

This clause provides, in keeping with the provisions of the Convention, for automatic recognition of consents to adoption given in accordance with the law of a Convention country (subject to the laws of the Commonwealth on this issue).

#### *Clause 18: Amendment of s. 18—Court may dispense with consents*

This clause amends section 18 to clarify that an application to the Court to dispense with the consent of a parent or guardian may be made by the Chief Executive or any party to an adoption (including the child).

*Clause 19: Amendment of s. 21—Recognition of adoption under foreign law*

This clause provides, in keeping with the provisions of the Convention, for automatic recognition of an adoption order made in a Convention country (subject to the laws of the Commonwealth on this issue). The law relating to recognition of orders made in non-Convention countries is unchanged.

The clause also gives jurisdiction to hear proceedings relating to recognition of foreign adoption orders to the Youth Court (instead of the Supreme Court).

*Clause 20: Amendment of s. 22—Court to consider report on suitability of adoptive parents*

This clause amends section 22 to provide that a report relating to the circumstances of the child need only be prepared and considered by the Court prior to the making of an adoption order where the Chief Executive is the guardian of the child. A report relating to the suitability of the adoptive parents, however, must be prepared and considered by the Court in all cases.

*Clause 21: Amendment of s. 25—Guardianship of child awaiting adoption*

This clause amends section 25 to clarify the intent of the section. The amendments make it clear that if the Chief Executive places a child (in relation to whom consent for adoption has been given or dispensed with) in the care of the birth parents (or any other suitable person) that action will not terminate the Chief Executive's guardianship of the child. The Chief Executive's guardianship may, however, be terminated if a court makes an order that the child be placed in the custody or guardianship of a person or if the Chief Executive orders in writing that the child is to be placed permanently in the custody of a parent (as well as the existing grounds for termination of guardianship ie. the making of an adoption order in relation to the child or revocation of the consent to adoption). The amendments also specify that the section does not apply to children in the guardianship of the Minister.

*Clause 22: Insertion of s. 26A*

This clause inserts a new section in the principal Act providing for arrangements relating to the provision of information about a child who has been or is to be adopted. The new section provides that, if the birth or adoptive parents of a child wish to enter into, or vary, such an arrangement the Chief Executive (or a person authorised by him or her) will endeavour to facilitate the arrangement or variation. The opinions of the child must, where possible, be taken into account in formulating the arrangement or variation.

An arrangement under this section will only operate until the adopted child has reached the age of 18 years.

All arrangements will be in writing and will be recorded on a register maintained by the Chief Executive.

Arrangements entered into under this section will not be enforceable in a Court and any breach of, or failure to enter into, an arrangement will not undermine the validity of an adoption order.

Subsection (8) of the proposed section provides that such arrangements may only be entered into in relation to children adopted after the commencement of the principal Act. This has been inserted to ensure that the right of a child adopted before the commencement of the Act to place a veto on the disclosure of information (which arises when the child turns 18) is not prejudiced by an earlier release of identifying information in accordance with an arrangement under this section.

*Clause 23: Substitution of s. 27*

This clause repeals the current section dealing with open adoptions and substitutes a new Part 2A dealing with that issue as follows:

- Proposed section 27 provides the basic rights of access to information held by the Department. Rights are given to—
  - an adopted person (and, if the adopted person consents or is dead or cannot be located, his or her lineal descendants);
  - a birth parent (and the natural relatives of an adopted person if the birth parents consent or have died or cannot be located);
  - if the adopted person consents, an adoptive parent.

The section allows for the provision of all the information retained by the Department, other than material that the Chief Executive determines would be unjustifiably intrusive. The way in which this discretion is to be exercised will be the subject of guidelines, which will be available to members of the public on request.

- Proposed section 27A provides for the disclosure, in certain circumstances, of information prior to a right arising under section 27. This clause is essentially the same as current section 27(2).

- Proposed section 27B provides what are commonly referred to as the "veto rights" for adoptions that occurred prior to the commencement of the principal Act. This section, like the current provision, allows an adopted person and birth parents to direct the Chief Executive not to disclose information that would allow them to be traced. In addition the proposed section allows adoptive parents to lodge such a direction, although in the absence of any direction by an adopted person, the adoptive parents' direction will not operate to prevent disclosure of information relating to the welfare or whereabouts of the adopted person. This has been included to ensure that a direction lodged by an adoptive parent does not restrict access to information about the adopted person where the adopted person has chosen not to place a veto on such access.

Any person lodging a direction may provide reasons which will be passed on to a person seeking access to information.

As in the current provision, allowance is made for the lodging of directions on behalf of an incapacitated person, and any direction lodged will operate for a period of five years (with a power to renew or revoke at any time).

- Proposed section 27C provides for interviews with persons seeking information or lodging a direction under the new Part.
- Proposed section 27D gives the Minister a discretion to disclose information in the same terms as the current section 27(5).
- Proposed section 27E provides that any requirement for the consent of a person is waived on the death of that person.

*Clause 24: Amendment of s. 29—Negotiations for adoption*

This clause amends section 29(4)(b) to make it clear that an approval given to a person or organisation to conduct negotiations for adoption may be withdrawn if the person or organisation acts improperly in the course of or in relation to the adoption or proposed adoption of a child. The current wording of this paragraph refers merely to the impropriety in the negotiations themselves. The amendments, however, aim to cover conduct right up to the making of an adoption order in relation to a child. The section is also amended to make it clear that improper conduct by a servant or agent of an organisation will be taken to be improper conduct by the organisation.

*Clause 25: Amendment of s. 31—Publication of names, etc., of persons involved in proceedings*

This clause amends section 31 to extend its operation to interstate adoption proceedings.

*Clause 26: Amendment of s. 36—Confidentiality*

This clause amends section 36 of the Act to allow the disclosure of information with the consent of the person to whom the information relates.

*Clause 27: Further amendments*

This clause makes the further amendments to the Act contained in the schedule.

SCHEDULE

*Further Amendments of Principal Act*

The schedule makes a number of consequential and statute law revision amendments to the Act.

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

**ADDRESS IN REPLY**

Adjourned debate on motion for adoption.  
(Continued from 15 October. Page 173)

**Mr CUMMINS (Norwood):** I have pleasure in supporting the motion for the adoption of the Address in Reply to His Excellency's speech opening the fourth session of the forty-eighth Parliament. This evening I want to address the issue of Cyprus. On 27 August 1996 I went to Cyprus and met the President of the Greek Cypriot community of South Australia, Dr Paul Toumazos. One purpose of that trip was to try to see three primary school teachers who were enclaved in Northern Cyprus in an area known as Karpasia and generally to look at the situation in Northern Cyprus.

As the House knows from previous speeches, Turkey invaded Cyprus in July 1974 and now illegally occupies 38 per cent of the northern part of the island. Both Greek Cypriots and Turkish Cypriots were dispossessed of land and

possessions. Most fled to the south; some Greek Cypriots did not. In fact, 1 600 Greek Cypriots are acknowledged dead by Mr Denktash, and the whereabouts and remains of these men, women and children are unknown and still have not been revealed by the Turkish authorities.

Since that invasion, Turkey has settled 85 000 Anatolians in Cyprus. Turkey, against UN resolutions, refused to withdraw its troops. In fact, at present some 35 000 Turkish troops are illegally occupying Northern Cyprus. Enclaved in Northern Cyprus in the area of Karpasia are some 500 plus Greek Cypriots. Originally there were 20 000 Cypriots in that area. The three primary school teachers (who are Greek Cypriots) have stayed in Northern Cyprus to teach some of the children who are both Greek and Turkish Cypriots and settlers' children.

One of our goals, at the request of the South Australian Greek Cypriot Community, was to visit Northern Cyprus to ensure that the Greek Cypriots in the area were safe and well and to ensure, in particular, that these three teachers were safe and well. In fact, before we went there we obtained a letter dated 15 May 1996 from the illegal Turkish Republic of Northern Cyprus so-called. This letter was addressed to the Australian High Commissioner and stated that Greek Cypriots with foreign passports could go to Northern Cyprus. Of course, this was necessary for Dr Paul Toumazos, who is a Greek Cypriot. There was nothing in the letter which stated that there was any restriction; the letter was dated 15 May and signed by Asimal Tiok, who was Director of the Consular in Minority Affairs Department of the so-called Turkish Republic of Northern Cyprus and attached to the Ministry of Foreign Affairs and Defence. The letter was addressed to J. Sullivan, the Australian High Commissioner in Nicosia.

Armed with that letter we thought we could go to Northern Cyprus to ensure that the Greek Cypriots were okay. On arrival in Cyprus, I asked the Australian High Commissioner on Wednesday, 28 August 1996 to notify the Turkish Republic of Northern Cyprus that it was our intention to go into Northern Cyprus and that I was to be accompanied by Dr Toumazos and Peter Yiannoudes, President of the Federation of Cypriot Communities of Australia. We were intending to go into Karpasia in Northern Cyprus.

We received no response to the request of 28 August. Subsequently, the High Commission was told by the Turkish authorities that we could go to Karpasia provided they had 48 hours notice. Of course, this requirement was not mentioned in the letter to us of 15 May 1996. I then telephoned the High Commissioner and said, 'I will tell you what I want you to put in the letter. You give them 48 hours notice.' So, we did give 48 hours notice and on 29 August 1996 we gave notice to the so-called Turkish Republic of Northern Cyprus that we intended to go into Karpasia. This notice in writing was under the hand of the Australian High Commissioner and was delivered personally to the Turkish authorities by Annette Morris, Vice Consul, Australian High Commission.

The High Commission informed the Turkish authorities that we intended to go to Northern Cyprus on Saturday 31 August 1996 and that the High Commissioner would accompany us in a diplomatic car into Northern Cyprus because he was obviously very interested and curious about the wellbeing of these people who have relatives in South Australia. As was the usual practice of the Turkish authorities, we got no answer from them: despite numerous requests and attendance in person on the Turkish authorities, we got no response. Therefore, we decided to go to the border in any event. On 31 August 1996 at 8.12 a.m., we presented

ourselves at the border, having first negotiated through the UN and Greek sectors. We crossed the green line, which separates the buffer zone between northern and southern Cyprus and we entered Northern Cyprus in the High Commissioner's car via the Ledra Palace sector.

I then approached the border station and was told by an officer of the Turkish Republic or whoever was there that the office was not open when clearly it was because staff were there. I said, 'In that case, we will wait.' I went back to the diplomatic car and we sat in it. At 8.30 I decided to approach the office again and we were simply told by someone that we could not go to the Karpasia area. I then produced the letter addressed to the High Commissioner and said we had consent. The person in charge of the office, Mr Sokmez, then made a phone call and came back saying that he had been in contact with someone on the other side and that we could not go to Karpasia. To say the least, this was extremely disappointing and one must obviously ask why the authorities of the so-called Republic of Northern Cyprus were so keen that we would not go, because all we wanted to do was to ensure the wellbeing of the people in the Karpasia area. The authorities were told that, but they still would not let us go.

On 1 September I had a meeting with Lieutenant-Colonel Pdraig O'Callaghan who was in charge of UN forces who go into the Karpasia area. He said at any given time Northern Cyprus has only a 30 day supply of fuel and is short of water as there had been two seasons of low rainfall. He told me also that, because of lack of food in Northern Cyprus, UN forces take food in once a week. He told me further that, if a Greek Cypriot male leaves Northern Cyprus and is 15 years or older, he cannot return. For a female the age is 16 years. He said that letters to southern Cyprus from the Greek Cypriots in the north, delivered through the Red Cross, are read and censored and all phone calls are monitored. Of course, Greek Cypriots are not allowed to have their own phone: they must go through someone else's phone so that the Turkish authorities can monitor the call. They are also not allowed mobile telephones.

From this, it is patently obvious that the Turkish authorities are involved in ethnic cleansing of a most sinister kind and are certainly in breach of the Geneva agreement on the enclaved in Cyprus. That agreement was signed in Geneva and the Turkish Government signed it. That does not worry them because they are in breach of many United Nations resolutions demanding that Turkish troops leave Cyprus. One thing about the Turks, they do not give a damn about what the international community says about what they should do, and they do not give a damn about the concept of international law.

Another worrying aspect told to me by Lieutenant-Colonel O'Callaghan is that UN forces cannot speak to Greek Cypriots except in the presence of a Turkish police officer. In the past there have been numerous instances of bashing of Greek Cypriots by Turkish authorities in the enclaved area. Eleni Foka was bashed at checkpoint Ledra Palace—the checkpoint I went through to get into Northern Cyprus—by Turkish authorities last year when she was found to have in her possession Christmas cards in Greek and religious crosses, presents of students and relatives in the south. In fact, she is one of the teachers enclaved in Northern Cyprus whom we wished to see.

The sacrilege by the Turks in regard to the Greek Orthodox Church is almost legendary in Northern Cyprus: they deface every religious symbol they can in Northern Cyprus and steal icons from the Greek Orthodox Church.

Interestingly, in the south the Muslim temples are completely untouched because the Greek Cypriots respect their religious beliefs. Unfortunately, the converse does not apply.

UN forces are looking for greater access and freedom of movement for Greek Cypriot residents. That has been refused and I was told that both by Lieutenant-Colonel O'Callaghan, who is based with the UN forces, and Lieutenant-Colonel Nicholas Clissitt, who is in charge of UK forces in Cyprus. Lieutenant-Colonel Clissitt told me that he was convinced that—and he has been there a long time—if the Turkish troops simply removed themselves from Northern Cyprus, the problem would be solved, because the Greek and Turkish Cypriots who have been living in Northern Cyprus for many years would be able to sort out the problems themselves.

Unfortunately, the USA and Israel have to accept a lot of blame for the situation now occurring in Northern Cyprus. The USA is paranoid about the rise of communist eastern bloc countries again. That is one of the reasons why it supports Turkey: it has bases in Turkey. In a sense, Israel is in the same position, having recently entered into a treaty with Turkey allowing access for her fighter planes over Turkey. The United States and Israel regard Turkey as a buffer against fundamentalism. There is also the issue of Middle East oil.

As to the question of fundamentalism, this situation again shows in international politics how naive the United States is and I am surprised that Israel is so naive as well. The reality is that Turkey's now Prime Minister, Mr Erbakan, is Leader of the Pro Islam Welfare Party and the RP Ministers in his Government control the three key portfolios of village affairs and agriculture, labour and social security, and culture. Doubtless that is a great base for the grassroots politics at which the RP Party is so good. Its vote has trebled since 1987 and its grassroots success can be seen in winning the municipal elections in both Istanbul and Ankara. I am saying that, because this man is a fundamentalist, in my opinion, his ministers will be engaged in a process of indoctrination until eventually there will be a grass roots uprising.

I do not believe that Ciller—Leader of the DYP pro western Party—and her Party and the Turkish Army, which is obviously pro West at this stage, can fight against an uprising in Turkey. I believe it is absolutely inevitable that the RP Islam Welfare Party will increase its power in Turkey. Once that happens, within five or 10 years Turkey will go fundamentalist, and that will present a major problem to the West, because we will then have a fundamentalist Turkey. If we do not hurry up and solve the problem in Cyprus, we will have fundamentalists controlling Northern Cyprus. The consequence of that is that, at the very border of the Mediterranean and Europe, we will have a fundamentalist state. This is the very thing that the United States and Israel purport to be trying to avoid. In my view, they have fallen into a great hole and ensured that we will have a fundamentalist state in Turkey and in Northern Cyprus. Also, it is patently obvious that the Turkish authorities in Northern Cyprus are trying to create a situation where the West believes that northern and southern Cyprus cannot be unified as one country.

We know that Anastasius Isaak was killed by Turkish authorities on 14 August and that Solomou was shot on 15 August 1996 (in the latter case, it appears, by a member of the secret service of the so-called Republic of the Government of Northern Cyprus). That clearly indicates to me that the Government is determined to continue with these killings. I have always held the view that what they are trying to do is

establish to the international world that, because of these killings, there is no way that Northern and Southern Cyprus can unite. That was again confirmed when on 14 October 1996 a further Greek Cypriot was shot. This man was collecting snails at Achna village, where there is no UN controlled buffer zone. This man, who was 58 years of age, was carrying a bucket collecting snails; he was completely unarmed and he was shot twice by Turkish soldiers. I have no doubt at all that the Government of the Republic of Northern Cyprus (the Turkish Republic) has a policy of continuing these killings to continue to force on the West the idea that Northern and Southern Cyprus cannot live together. The West is being very naive indeed if it believes that that is not the situation.

I urge the Federal Government to look again at the Cyprus question. Denktash has been talking about a concept of a federation for Cyprus, but the concept that he is putting forward, and has put forward in international meetings under the auspices of the United States, is sheer rubbish. His concept of a federation is that Northern Cyprus and Southern Cyprus should have a separate foreign policy and that, if Greek Cypriots go into Northern Cyprus, they cannot reside there; they can stay only one night and then they have to get out. Once again, they are putting forward a concept of ethnic cleansing.

Unfortunately, I think that our Federal Government has fallen for this trick of the Turks in saying it supports a federation when I do not think it understands the federation being put forward by Denktash. No civilised society can accept the sort of federation that Denktash is promoting. In my view, the only course of action in Cyprus is that the Western powers should insist that Turkey withdraw from Northern Cyprus. As far as I am concerned, there is no other solution, because over the past few years Denktash has shown that he is a man who cannot be trusted, because he says one thing and does something else.

All they are doing is stalling for time and hoping that eventually Southern Cyprus will give up. I hope they will not give up. I hope they continue to resist the idea of a federation. I hope they keep insisting to the Western world that the Turkish troops withdraw from Northern Cyprus. As far as I am concerned, Denktash is a war criminal. His Government has admitted that 1 600 Greek Cypriots have been killed. They will not reveal the whereabouts of their bodies for obvious reasons because, if the bodies are dug up and forensic tests are done, it will be patently obvious what happened to these people—they were not killed in a war conflict; fundamentally they were murdered and therefore that makes Denktash a war criminal.

I made a speech in this House some six or eight months ago and I called on Denktash to be tried as a war criminal. I am glad to say that when I was in Cyprus the Prime Minister of Cyprus, Clerides, said that he should be tried as a war criminal. I hope he will pursue that in the United Nations and in Europe to ensure that that happens. This man should be tried as a war criminal, because that is all he is and he does not deserve any consideration whatsoever.

I now turn to a completely different topic. I wish to address the issue of the loss of sovereignty of the States. This is a matter about which I have spoken previously in this House and it is a matter which concerns me greatly. Under the previous Labor Government there was a massive erosion of the State's power *vis-a-vis* the Commonwealth resulting in a massive centralisation of political and legislative power in Canberra. We have also seen a lack of parliamentary

scrutiny of so-called national uniform legislation, which is a very dangerous situation. It does not end there, of course. We have seen the Commonwealth Government use the external affairs power to impose legislation on the States, which one would normally call domestic legislation. Do not misunderstand me: I am talking not about the pros and cons of the particular legislation but about the process of the Federal Government's using powers which it has under section 51 of the Constitution to impose its views on the States and therefore erode the position of the States *vis-a-vis* the Commonwealth Government.

We have also seen the interpretation of the industrial power where the High Court fundamentally has ruled in recent cases that State public servants and employees of instrumentalities can now go under a Federal award. In that situation it makes it almost an impossible task for a State Treasurer to budget when his State employees are under a Federal award ignorant of the complexities of the State's economy. How does he budget? This erosion of the States' powers *vis-a-vis* the Commonwealth has been occurring since Sir Harry Gibbs retired as the Chief Justice of the High Court in 1987, and it is a continuing process. The other darling bit of legislation was Keating's national competition policy which, as I have said many times, I believe is a licence for big business to rape this country and also a licence for the big States to rape the smaller States. It is disgraceful legislation to which I have always been opposed.

The other issue concerning me at present is the fact that our Federal Liberal Government is talking about introducing a Bill to ban euthanasia in the Northern Territory. To say that I am disappointed in that is the understatement of the year. I have always held the view that the Labor Party was a centralist Government and that all the wisdom came from Canberra, but now to see a Federal Liberal Government doing the same thing is an absolute disgrace. I am not talking about the pros and cons of euthanasia: that has absolutely nothing to do with the issue.

The issue is simply whether or not in an area of law which is fundamentally moral law—and moral law is always, it seems to me, domestic law—the Commonwealth Government should start imposing its views on the Northern Territory. A lawyer would say to me, 'Well, under section 122 of the Federal Constitution the Parliament may make laws for the Government of any territory surrendered by any State to and accepted by the Commonwealth.' That is true. We all know that the Northern Territory was surrendered to the Commonwealth Government by South Australia, but in 1978 the Northern Territory Self-Government Act was passed, section 6 of that Act providing:

Subject to this Act, the Legislative Assembly has power, with the assent of the Administrator or the Governor-General, as provided by this Act, to make laws for the peace, order and good Government of the Territory.

That is precisely what the euthanasia Bill was: it was a Bill within the meaning of section 6. That provision in section 6 also occurs in our Constitution, as it does in every single Constitution in the Commonwealth. If the Commonwealth Government believes in the concept of a Federation, how can it have the temerity to tell the Northern Territory what laws it can pass on moral issues? A case in the 1992 *Commonwealth Law Report, Capital Duplicators Pty Ltd v ACT*, makes this clear, where a Full Court judgment determined that the powers of section 122 of the Federal Constitution enable Parliament to create a new legislative authority with untrammelled control of its own fiscus. In other words,

that provision gives the Commonwealth Government the right to create a Territory with complete legislative power over its own jurisdiction. It is clear to me that that is precisely what it has done, yet the Commonwealth Government is trying to impose its view on the Territory. The differentiation between the Territories and the Commonwealth has been recognised in numerous cases. Another example is *Burgundy Royale Investments Pty Ltd v Westpac Banking Corporation*, which was a 1987 High Court case, where the Crown in the right of the Territory was regarded as distinct from the Commonwealth.

These High Court cases have established that the Territory is separate from the Commonwealth—and so it should be. How can the Commonwealth talk about a Territory evolving into State status, when a Territory passes a law on a moral issue and the Commonwealth turns around and says, 'You have your House of Assembly and the members of that House were duly elected by the local people'? Presumably, the local people of the Northern Territory know whether or not they want a Bill on euthanasia. I recorded my view on the matter in this House when I opposed the Bill on euthanasia. This debate has absolutely nothing to do with that issue: this debate concerns whether or not the States and Territories will allow the Commonwealth Government constantly to erode their sovereignty, which erosion has been going on now for many years. I believe that we should put a stop to this, and I am glad to see that the States and Territories have come out in unison opposing what the Commonwealth Government has done.

I am extremely disappointed that a Liberal Government should walk down this path, particularly in view of the fact that prior to the last election Prime Minister Howard, a Liberal Prime Minister, said that he would restrict the use of the external affairs power. The House may know that, if the Commonwealth Government signs a treaty (and recent cases indicate that it does not even need to do that) and passes legislation through both Houses, it can impose that law on the States under the inconsistency provisions of the Constitution. Howard said that he would curtail the use of the external affairs power. Obviously, the rationale behind that was that he did not believe the external affairs power should be used to erode the powers of the States.

One could have an international treaty on anything, such as human rights, which provides that a certain moral issue should be treated in a certain way. The Commonwealth Government could sign that treaty and then impose that on the States. What is the difference between that and a situation where the Territory passes legislation on euthanasia and the Commonwealth Government says, 'You are a Territory: we will do what we like under section 122 of the Constitution'? I say there is no difference. The only difference and the only argument that the Commonwealth can put is that under section 122 the Territory is a creature of the Commonwealth Government but, of course, that is defeated by the fact that the Territory has the right to organise its own fiscus, as the High Court cases establish, and under section 6 of the Northern Territory Act which, as I have said, duplicates all the State Acts.

It is an absolute disgrace that a Federal Liberal Government is doing what it is doing. Everyone who cares about the sovereignty of the States should tell the Federal Liberal Government that, and we should not stop telling it until it wakes up to itself and respects the fact that we live in a Federation. We are sovereign States and sovereign Parliaments, and the Federal Parliament should not make inroads

into that. I will certainly be passing on to Mr Howard and the members of the Federal Government my views about what they are doing, and I hope in due course they will learn not to do it. If they want the support of the States on uniform legislation and such things, they ought to keep their nose out of our sovereignty.

**The Hon. H. ALLISON (Gordon):** I support the motion for the adoption of the Address in Reply and take this first opportunity we have had since the appointment of Sir Eric Neal to welcome our new Governor and his Lady to the State. Sir Eric is already acknowledged as one of the kings of Australian industry and commerce. He has already achieved exceptionally well in those fields, and I feel quite sure that Sir Eric will add further lustre to a long line of distinguished Governors who have served the State of South Australia so well.

I now turn to our recently retired Governor, Dame Roma Mitchell. What can one say about so distinguished a lady? She has already been extensively and justifiably eulogised by the public, the Government and others in South Australia, and I believe I am speaking both from the heart and in a heartfelt manner on behalf of all South Australians in thanking Dame Roma for a job so well done and wishing her the best for a long and active retirement. We will always hold her in the highest regard and with the greatest affection.

His Excellency the Governor's address found South Australia's economy and recovery in good heart, its debt reduction strategy on target and the finances of the State well managed by contrast with the former Government, which ran down the fabric and finance of the State so drastically, dramatically and devastatingly. The sheer paucity of members on the Opposition benches is a just testimony to that. The electorate has passed its own judgment on them, and I need say no more. Everyone knows that the Labor Party made a ham-fisted job of handling the State. The manner in which members opposite are campaigning and visiting my electorate suggests that they have not learnt a great deal.

In passing, I note that recently the Labor Party has rediscovered the electorate of Mount Gambier. Members opposite come down quite frequently in their white air-conditioned cars and with their maps to help them in their pioneering and missionary work, but what do they do when they arrive in my electorate? Generally, they come to Mount Gambier and begin to bad-mouth us. I notice that recently the member for Taylor has attacked us on tourism, accusing our tourist authorities of ineptitude and not doing the best for the city or realising its potential. That tirade from the member for Taylor certainly set the Mayor back on his heels, and he retaliated in no uncertain manner. The member for Elizabeth and others, including the Leader of the Opposition, have been attacking us for having a new hospital and on the basis that the special funding being provided is costing a little more than it would if the Government had funded it from Government reserves. I will say more about that a little later.

Members of the Legislative Council representing the ALP have visited us and attacked the timber industry and the recent sale of Forwood Products to a very respectable and well administered New Zealand company, one of the world leaders in the timber industry, despite the fact that it was the Labor Party that set up Forwood Products—the former Woods and Forests undertaking—for privatisation and sale and had intended all along to do the very same thing itself. I am quite sure that the timber industry in the South-East will be consolidated as a result of what has happened.

The member for Elizabeth was in a surprisingly acidic mood yesterday evening when she gave her Address in Reply. One of the things she asked the Government benches not to do was to apportion blame for the State Bank fiasco. The member for Elizabeth said that this was not the time for pointing the finger of blame. To that I say, 'What utter cheek!' Everyone knows that the Labor Party presided over the world's second largest bank loss—the other one was in the United States—and that occurred in South Australia with a population of less than two million. In fact, the Labor Party trebled the debt which Christopher Skase brought about in his commercial empire, and we all know with what acrimony people view Christopher Skase.

The member for Elizabeth also said yesterday evening that there had been little progress in South Australia. This is from an ALP which has promised a new hospital in Mount Gambier at every election since 1977. It did not promise one in 1975, because it did not think that I would win the seat, but from every election since 1977 it has promised a new hospital, but it has never delivered. I suggest that that was an obstetrical crisis in its own right. The Liberal Party Minister (Hon. Michael Armitage) has delivered. He has given us a new hospital using funds that were borrowed privately at an interest rate a little higher than Government rates and costing a few hundred thousand dollars extra in all, dollars which are to be amortised over 20 years or more at a nominal figure for each year.

I suggest that the Australian Labor Party in South Australia does not care about rural South Australia. From its comments in the House, in the South-East and across the airwaves it obviously begrudges every penny that is spent outside its own city confines. Minister Armitage is to be thanked for giving Mount Gambier and the South-Eastern people a quality hospital, one which will serve into the next millennium and one which the ALP never intended to build. Instead, it gave me two decades of hot air. Furthermore, despite the repeated cynical, sarcastic and quite untruthful allegations that the Mount Gambier Hospital and other hospitals in South Australia are to be privatised, the Minister has again given an assurance that the Mount Gambier Hospital will not be privatised and that it will be run as a State hospital—and I believe the Minister.

However, one essential additional ingredient will be provided in the Mount Gambier Hospital, and that is a private wing which should attract people to the private side of the hospital and may well encourage people in the South-East to take out private medical insurance. At the moment, if you have private medical insurance and use the Mount Gambier Public Hospital you do not get any benefit from those privately paid funds. The Labor Party members who have visited my electorate with, I suggest, their bad mouthing and criticism of the South-East are behaving in a typically ham-fisted and clumsy manner. As potential suitors of the electors in Mount Gambier they are showing a very funny way of wooing their prospective bride. I suggest to the Opposition that my electors are intelligent, sophisticated, selective and perceptive, so members opposite had better do a lot better.

The question of the Mount Gambier blood bank has caused me some concern for the past 12 months. It was closed down on 1 January 1996 by the Australian Red Cross organisation which administers the blood bank. In the South-East we have some 3 200 people registered with the intent of giving blood for the State. They are ready, willing and able to give blood to the sick and disabled of South Australia, but since the beginning of this year they have been unable to do

so because the blood bank in Mount Gambier—and, indeed blood banks in the rest of rural South Australia—closed down. I am told that it closed down because there was a shortage of funds. The figure that was given to me almost a year ago was about \$275 000. I understand that the Minister pledged a substantial amount of money to the Australian Red Cross to help it through that dilemma.

It is a great pity when over 3 000 people in the South-East are willing to give blood, when advertisements have been placed in the State press asking for blood donations and new donors, that these people are unable to give blood simply because of remoteness and because the service has been closed. I note from a recent copy of the *Border Watch* that discussions are under way between Dr Richard Kimber, the Chairman of the Red Cross National Blood Transfusion Committee, a consultant to the South Australian IMVS, and Dr Margaret Buring, the Director of the State's Red Cross blood collection centre, all of whom have visited Mount Gambier to reconsider the closure and establish whether the service can be reopened. I sincerely and fervently hope that they will meet with success and that the service in the South-East will be reopened.

It is good to have fresh blood available in the South-East because it also serves the western districts of Victoria. The Mount Gambier Hospital has a large hinterland extending for a 100 to 150 mile radius beyond which people have the choice of going either to Victorian based hospitals or to Adelaide. Mount Gambier is very important, and I suggest that that blood service should be of paramount importance to the Red Cross when it considers whether to re-establish it. I ask it fervently to re-establish that service in Mount Gambier.

As I said, I was extremely disappointed that the member for Elizabeth was so bitter and acrimonious in her debate. I listened as she doubled, doubled, toiled and troubled during her half an hour Address. I felt that it was more of an incantation than an Address in Reply. I hope she views rural South Australia in a much better light when she next visits the South-East and also that she acknowledges the sterling job that the State Government has done in meeting its targets and reducing the massive State debt which it inherited. Of course, the Liberal Party did not win Government at the last election; the Labor Party gave it a great help by losing the election, and the \$9 billion debt and the \$3.2 billion or \$3.3 billion State Bank fiasco are the reasons. Members opposite know that, and we know that.

I have one problem, and that is that the Federal Government in pursuing policies very similar to those pursued by conservative Governments across the world in re-establishing the Public Service into the private service and by transferring a lot of effort from Government into private hands is really going to carry on the downturn in Government employment for probably a further two years. The South Australian Government had plans to do precisely that for a couple of years and then to lift the State over the third and fourth years of its term in office. I suggest to members that the Federal Government will not assist the State Government with its intentions to further wind down Federal Government departments. In my electorate, the Australian Taxation Office, a very close neighbour of mine in Mount Gambier—it is situated about six inches behind my office wall, in fact—has already been closed down, and there is a possibility that the Commonwealth Employment Service in what is euphemistically termed a conversion to a one-stop-shop with the Department of Social Services will lose its identity and may also lose additional staff and throw additional office accom-

modation vacant. That is part of the Federal Government's intention to transfer effort from one department to another.

As I said, it is euphemistically called a one-stop-shop, but what will happen is that there will be a further and continuing loss of employment. I speak for rural South Australia, as have other members. It concerns me that for the past five months we have had an increase—not a huge increase, but an increase—in unemployment in the Mount Gambier district in the South-East at large. Normally, the South-East and Mount Gambier, which is the second largest rural city in South Australia, have a well balanced economy with seasonal work to make sure that those who want work generally can transfer from one seasonal occupation to another. It also has plenty of permanent employment.

However, there has been a downturn over the past five or six months, and the Hilmer report, with its insistence on Australia wide competitiveness in the provision of essential public services, has obviously resulted in the loss of jobs across the nation, and we are currently in a hiatus while those jobs are transferred to the private sector. That has not been completely reflected at this stage, and I know that members will acknowledge that. The recommendations of the Hilmer report were first embraced, of course, by the former Keating Labor Government. It is not a Liberal Party invention; it was Keating who embraced the Hilmer report. However, the Howard Government has further espoused the Hilmer report and, as I said, in my own electorate the work of closing down Government offices is still in progress.

*The Hon. Frank Blevins interjecting:*

**The Hon. H. ALLISON:** I will not respond to the honourable member's interjections, because I will not do him the credit of getting part of my speech, through his words, into *Hansard* under my name. The honourable member can keep chattering away, but he has already made his contribution. As I said, we have several vacated office blocks which need to have another use found for them. The pace of reform has continued from the Keating Government into the Howard Government and, in some respects, has accelerated. I suggest to members that rural South Australia will find it hard to expand and prosper in the face of continuing and substantial reductions. I am simply saying that it is time that we slowed down. The loss of a few Government jobs in a small country district may result in the closure of a school, a post office—

*The Hon. Frank Blevins interjecting:*

**The Hon. H. ALLISON:** I haven't done you the credit of reading anything, but I will have a look at it. In your comments you plagiarised the comments of other South-Easterners, including Mr John Morison.

*The Hon. Frank Blevins interjecting:*

**The Hon. H. ALLISON:** Well, you should have read his comments. We are simply reflecting what rural Australia feels, that we will feel the pinch—

**The Hon. Frank Blevins:** It's too late.

**The Hon. H. ALLISON:** Well, it isn't too late, Frank, but it might be in Whyalla.

*The Hon. Frank Blevins interjecting:*

**The Hon. H. ALLISON:** It may be too late in Whyalla, but the recent KESAB report said that Mount Gambier would, in the not too distant future, become the second largest city in South Australia. I suggest that I have far more grounds for hope than the member for Whyalla, who sits there despondent.

*The Hon. Frank Blevins interjecting:*

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

**The Hon. H. ALLISON:** The recently released Federal report on regionalisation saw a diminution of effort as funds for specific regional programs were cancelled. In the words of the Federal Minister, the regions were encouraged to start taking their own initiatives towards redevelopment and expansion. Very good! I agree with that to a large extent, because initiatives generated from within a community stand the greatest chance of success. However, at the same time, I point out to all Governments that this is not entirely the way for rural South Australia to prosper. Australia is such a vast continent that the paternal hand of Federal and State Governments must still be there to help provide a substantial infrastructure which is necessary for access to rural cities and regions. Road, rail, air, shipping services, power, water, sewerage, schools and medical services must be adequate to attract people to the country districts of rural South Australia.

I suspect that the recent population centres may well come up with a result similar to rural cities, even those as large as Mount Gambier. I know Whyalla has fluctuated from 35 000 down to 27 000 and up, but Whyalla's future has been uncertain for a long while. However, Mount Gambier has differed in that from 1954 to 1994 the graph has been almost a straight line upwards—although I suspect that the recent census may well show a slight decline in population. We have to create the circumstances for decentralisation, for regionalisation.

We all know that, irrespective of whether Labor or Liberal is in power in Canberra or the State, it is difficult in remote Australia to attract industry to our capital cities, let alone to rural Australia. Whereas in the huge conurbations of Britain and Europe, where you have 500 000 people or more, the towns and cities are more closely concentrated, the infrastructure is easier to provide, and regionalisation is certainly going along at a tremendous pace in Britain, France, West Germany, Holland, and so on. However, there are other parts of Europe that are still more towards third world—for example, East Germany and the Eastern Communist Bloc, which still need decentralisation programs similar to those required by rural Australia.

It is not simply a South Australian problem but a world problem. In particular, my heart goes out to the third world, which represents about half the world's population, because it does not have enough power to start an industrialisation program. We are the lucky people who have a huge concentration of power, coal, oil, gas, electricity, and we are planning to use solar power. We have the benefits, whereas the third world countries still have that huge job ahead of them to find adequate power to start catching up. That is a massive problem on which I will probably devote a grievance debate or two later in the session.

In the South-East we have a fine crop of intelligent school-leavers who will soon be increasing that pool of people wanting employment, and it is the job of us all to try to see that they are not disappointed. We in the South-East cannot assist these people in isolation. We must have the paternal hand of the Federal Government, and we must have some rethink on the regionalisation paper that was recently put out by the Federal Minister. The State Government of South Australia would be very supportive of my comments with regard to that.

As I said, it is unquestionable and, as the Premier said today and in previous Question Times in response to cynical questions addressed to him, the economy of South Australia is recovering, and the export section of the economy is well ahead of the national average. Of course, this is just the thing

that former Prime Minister Keating was asking everyone to do. He was saying, 'For goodness sake, get the exports in Australia moving again. Let us redress this immense imbalance of payments, where we keep going deeper and deeper into national debt each year, and make sure that State and Federal exports can start reaping the benefit of foreign currency and our home manufacturers can start redressing that imbalance with goods coming in which might well be made in Australia itself.' South Australia is certainly playing its part in that export led recovery. The State of South Australia is doing the right thing, and it is well on track.

Furthermore, the MFP should be encouraged. I have seen many cities across Europe which have succeeded in establishing multifunction polises. Whatever they call them does not matter—it is what happens within the city that is important. If you go to France you will see the MFP in Sophia Antipolis and others which were established as models, including Toulouse, which has the French aerospace industry, and by Paris itself around St Denis, which has a population of over one million people and which is an MFP in its own right. In Britain, France, Germany and Holland, almost every city is trying to establish an MFP style of manufacturing with its high-tech and low pollution industries. If Australia does not follow that pattern, we will be left behind, and South Australia already leads Australia in intent. The MFP should proceed, and it should succeed.

Rural South Australians, who are very supportive of the metropolitan area and Adelaide, contribute greatly with their small rural populations towards the export, manufacturing and primary industry productivity of this State. We contribute far more on a *per capita* basis than do metropolitan dwellers, for example. I simply ask that some social justice factor be built into the hard-nosed economic principles which are common around the world and that there be recognition that the rural milch cow has to be fed if it is to continue providing wealth for the nation. I simply ask for a more sympathetic approach for the rural populations with their rural problems in Australia, and in South Australia in particular.

**Ms HURLEY (Napier):** As have other members, I congratulate Sir Eric Neal on his appointment and wish both him and Lady Neal all the best for their term in Government House. I do not want to let the occasion pass without acknowledging Dame Roma Mitchell. I am not really very keen on the term 'role model', but I think Dame Roma fulfilled that model very well and led the way for women in a number of areas. She not only led the way but continued to stand there as a model for young women as to what could be achieved in a very gracious and dignified manner.

When the Liberal Party assumed government in December 1993, it held a massive majority and could safely have assumed that it would be in power for many years, provided it managed the State at least competently. There was a great deal of talk that its majority would ensure a Liberal State Government certainly for 12 years and perhaps for 16 years, almost regardless of what it did. There was every chance for this Government to put in place its own vision and style.

The new Liberal Government seemed to have a vision of streamlining the economy, of reducing it to a minimum, and of reaping the benefits of a leaner, meaner Government. It styled itself as the business manager of the State, sweeping in with the new management initiatives of the 1990s. A problem has become apparent, however: it is a difficult climate of changing Federal-State relations, an ever present



problem of declining sources of State revenue, and competition between States for business and status.

One of the difficulties is that you need to have a very smart administration in place to be able to manage the complexities of modern government. You need a team which is really on top of the situation, one that can act both decisively and flexibly. South Australia does not seem to have fared very well in the modern economy. It does not seem to have influence except where it has asked to be disadvantaged, and there was no better example of this than when Premier Brown called on a new Federal Liberal Government to cut funding deeply. The Federal Government complied with this extraordinary request and cut funding so that this State will be further hurt by reductions in services and employment.

In this State, as others have said, we have a high proportion of aged people, and Federal Government cuts will see older people having less access to things such as dental treatment and having to pay large sums of money to enter nursing homes. Reduction in Public Service employment will see more unemployment here and the loss of valuable jobs in regional centres. There was no better explanation of this than the comments of the member for Gordon in his address regarding the problems in Mount Gambier relating to the closure of the tax and CES offices. In another part of the State, a major source of regional employment, the Australian National rail yards, is under threat.

In this period, when this Government and other State Liberal Governments have slashed employment opportunities, the Federal Government has chosen drastically to reduce the opportunities for retraining. It has also reduced opportunities for tertiary education through further impositions on the HECS scheme. It has further slashed regional development initiatives. South Australia, and in particular the regional areas of South Australia, have done very badly under both Federal and State Liberal Governments.

You would think that a Government which owes so much to its rural interests would fight harder to protect the interests of the bush. We have the member for Gordon putting in his lone protest, but I have not seen much concentration by the Executive of his Party on the interests of the bush. Indeed, the Government seems unalarmed as the opportunities in country areas trickle away. Country towns are seeing their banks, shops, medical services and schools close down. In spite of the rain this season and the improvements in the economy of this State, the medium and longer term prognosis for jobs in country areas will continue to be bad. The regional situation is not the end of the ramifications of the Federal budget for South Australia.

The State Treasurer has not been able to untangle the split strands of the budget and we must wait patiently to hear what further cuts are in store. This will impact severely on the people in my electorate who are holding out for the fulfilment of promises by both the State and Federal Liberal Governments that jobs will be created and economic activity stimulated.

Metropolitan members on the other side have referred to measures that have benefited their electorate, but I wait in vain for measures which give hope to my constituents. We have been the target for severe cuts and, in an area where there are many young families, cuts in public education, health and family support measures impact particularly heavily. It is not only in my electorate that people wait in vain for some action. Everywhere I go around this State, people are telling me that nothing is happening—and not only those individuals who are waiting to get jobs but businesses that are

wondering whether they will be able to stay open for much longer.

There is a marked lack of development in this State, and the Government has twisted and turned to blame everyone and everything except itself. There is an acknowledged lack of planning expertise in this State. And there is an acknowledged lack of direction for planning here. Housing starts continue to be bad, and the construction industry is at an all time low. No matter what the Government says, we need growth in the housing sector to stimulate the economy, and it is not happening. That has enormous ramifications for other flow-on industries in this State.

Where has been the vision for planning? Where has been the vision for the direction in which this State is going that obviously the member for Gordon would like to see? He talks about the need for Government involvement in infrastructure and for a Government hand in planning for the regional areas of South Australia and Australia. There has been no sense of direction from this Government. There has been no pointing the direction for economic development in the whole of Australia or in the regions of Australia, or in the metropolitan area of Adelaide.

One of the causes identified by many people for this lack of development in our city and State is that this State Liberal Government seems unable to stand up for South Australia effectively among its peers in other States. Brown is unable to make the impact of Kennett in Victoria, Carr in New South Wales, Court in Western Australia or Borbidge in Queensland. It is obvious that the polling is showing the Premier that ordinary people in industry are saying, 'I wish we had a Kennett in this State so that at least something got going.' He is trying hard, through bells, whistles and stunts, to try to prove that he is tough, but it is simply not succeeding. So often, in fact, the Government does not even try to make any impact, and nowhere has this been more evident to me as shadow Housing Minister than in the renegotiations for the Commonwealth-State Housing Agreement.

This Government has been conspicuously absent amongst the States in voicing a view about the renegotiation of the Commonwealth-State Housing Agreement. The Premier and the Minister for Housing in this State have been conspicuously silent about the Commonwealth-State Housing Agreement. In fact, the only statement that I have heard the Minister for Housing make is that he is confident that the Federal Government is heading in the right direction by appointing a review.

We have billions of dollars in assets which have been built up by the taxpayers of South Australia and which are in jeopardy under the renegotiation of the Commonwealth-State Housing Agreement. This Government has been completely silent about the matter. Housing is one of the fundamentals in quality of life. It is an absolute building block in quality of life, yet the Government has not found it important enough to take an independent stand against its Federal colleagues in housing to protect South Australia's own interests in that area.

That is simply not good enough for its tenants. The public housing tenants have not been consulted about what they want in public housing. They have not been consulted about this measure, which will divert capital from funding of public housing to funding of rental assistance for individual tenants. The Federal Government has said that this is what people want, yet there has been no consultation with the people who are in need of assistance with housing. It has simply been assumed that that is what they want.

The Labor Party has been trying to consult with tenants; it has been trying to talk with peak housing groups and with tenants of the Housing Trust. The feedback that we have received is that this is not what the people in need of housing want: they want a strong and viable public housing sector, security of tenure and some certainty about how much of their income they will pay in rental. This is another area where this Government has fallen down badly in standing up for itself.

As I said before, often the Government seeks to blame external influences for its lack of vision and achievement. We have seen an example of this recently where the Government has attempted to blame the Adelaide City Council for lack of development in the CBD of Adelaide. At one stage the Premier said that he wanted development in the Adelaide City Council area to match the development that he had achieved in the rest of the State. This greatly puzzled most people because they had not seen much development in the rest of South Australia except that which the Government had paid for heavily in the form of subsidising and buying jobs as a result of companies coming to this State. So we had the State Government blaming the third tier of government—local government—for lack of development.

This has been part of a sustained attack on local government during which we have seen increased charges and increased responsibility given to local government in a climate of a rate freeze, lack of real consultation with the local government section and a betrayal of the understanding that local government thought it had with an incoming Liberal Government. The Government will realise that this cutting-off of connections with local government will not help it to achieve economic stimulation in South Australia. Of course, the trick is to achieve cooperation with local government and with the Federal Government, to work together to stimulate the economy in South Australia. Obviously, the Government is not prepared to do this. It wants to use local government as the weaker partner in relation to which it can flex its muscle and be seen to be tough.

However, it is not fooling any of my constituents or most of the people in South Australia, I believe. The Adelaide City Council and development of the CBD is relevant to them, but the play-acting of the Premier and the State Government is not. They want to see jobs being created and development; they are not interested in the Premier and the Lord Mayor trading insults. Neither are we. We want to see development proceeding in Adelaide and in the State, and we want this Government actually to negotiate with us and the Adelaide City Council to achieve a workable solution.

As the member for Gordon said, the Government got in on the back of major problems for the previous Labor Government occasioned by the surge of entrepreneurial activities and property speculation in the 1980s. I think that very few of us did not overtly or secretly hope that the Liberal Party's promises might be delivered. We all wanted to see jobs being created, the economy being stimulated and social services being improved. We all recognised that the Government was working in a difficult Australia-wide and world-wide economic environment. All of us are now left, three years later, with a lingering feeling that others have done better than we have done. This Government has achieved very little compared with other States.

*An honourable member interjecting:*

**Ms HURLEY:** As the member for Giles says, there is a strong feeling that we are going backwards. There was great goodwill for this Government when it started out. People

recognised the burden of the debt and the need to change to keep up with modern times. I think that the Government has now squandered that goodwill and must work very hard to make up the ground that it has lost.

The Government's legislative schedule as outlined in the Governor's speech did not give us hope that that might happen. In fact, it indicated that it all comes down to the question of whether or not we have an Administration that is capable of dealing with the changed environment in which we work, and is capable of negotiating the contracts, the outsourcing and privatisation that it has espoused. The overwhelming feeling not only for the Auditor-General but also for the people who watch the Government in action is that it will not happen. This Administration, despite its boast of business competence and experience in business, does not have the ability to negotiate, compromise, work out an acceptable solution and take this State forward in a way that will benefit everyone in South Australia.

From the point of view of my constituents, the Government is working to ensure that those who benefit from its changes are the middle-class people, who are capable of buying the services that they require, and that other people who must rely on the public purse, who must rely on State provided housing, education and health services will come off very much second best.

I am very disappointed about that on behalf of my constituents who voted Liberal. They hoped for better things, yet they have not been delivered. I certainly expect that they will see the error of their ways in the next election. I note that the Government's problems have provoked much talk of an early election, perhaps as early as March or April next year. The falling polls would indicate that that would be the wisest course for the Government and, certainly, I understand the impatience of people who want to see change for the next election when they can register their view of what this Government has achieved.

I hope that this Government has the courage to go its full term so that we can say, 'You have had a good innings, you have had a good run, you put in your best but it has been a failure.' It has been a failure for my constituents, for the people who have lost their job in my electorate, and for those who hoped to see jobs created.

**The Hon. G.A. Ingerson:** What sort of mess did you make?

**Ms HURLEY:** Not as much as you have.

**Mr MEIER (Goyder):** It is with pleasure that I rise to support the motion for adoption of the Address in Reply. I offer my compliments to Sir Eric Neal on the way in which he opened this Parliament, and I take this opportunity to congratulate him on becoming Governor of South Australia. I also welcome his wife Lady Neal. I had the pleasure on the recent long weekend of having Sir Eric and Lady Neal in the electorate of Goyder when Sir Eric was asked to open the Copper Triangle Air Spectacular on the Sunday.

I can say that the people of northern Yorke Peninsula and the people of Goyder generally were delighted that Sir Eric and Lady Neal were able to come to our district and stay for more than one day, staying as they did until Monday and taking the opportunity to see the area in a private capacity. Because Sir Eric is still relatively new in his role as Governor, he was able to maintain some privacy and was not recognised everywhere he went. I say a special 'Thank you' to Sir Eric and Lady Neal for coming to the electorate at such an early stage. I know that Sir Eric is being well received, and

I am sure he will be an outstanding Governor of South Australia.

I was interested to hear what Sir Eric had to say in his excellent speech opening Parliament, and there is no doubt that he identified many of the positive projects that this Government is implementing. Probably the greatest positive aspect is the fact that there has been a dramatic turnaround in the State's finances, and that certainly underpins the State's capacity to deliver the improved living standards and services required by South Australians. Most importantly, it is delivering the new services and standards without any new taxes being imposed. His Excellency also identified some specific details regarding the budget. Members will recall that we inherited a debt of more than \$350 million in our year to year budget which at this stage we have brought down to about \$101 million—about \$13 million ahead of our forecast—and certainly we hope to have a balanced budget within the next year or so. That is truly a credible performance ensuing from a situation where the debt was starting to spiral.

The public sector debt—the net debt contributed to by the fiasco of the State Bank loss of \$3.1 billion—stood at \$8.467 billion in June 1995, and the Brown Liberal Government has brought that back to \$7.752 billion, which is a magnificent achievement in such a short period, resulting in a 4 per cent improvement in the gross State product since 1995. We are making magnificent headway in that respect. It is also very pleasing to see that South Australia's economic growth during 1995-96 was very strong, improving by 4.7 per cent as against our forecast of only 3 per cent. That is a credit to all members of the Government. I know that some hard decisions have had to be made but the benefits accruing to this State will be absolutely enormous in the short and longer term. We are now seeing more businesses choosing to operate in South Australia, and that is not surprising, not only because of the reduction in the State debt but our per capita taxation is now 21 per cent less than Victoria's and 23 per cent less than that in New South Wales.

In the past two years small to medium businesses have received a real reduction of more than 40 per cent in the cost of electricity. The 1996-97 State budget allows for a real reduction in commercial water rates of 3 per cent, and labour costs are now 5 per cent below the national average, which means that it will be more conducive for companies to hire people in South Australia than would be the case interstate. We have many major projects under way such as Western Mining Company's proposed expansion which will bring in another 6 700 jobs from the \$1.25 billion expansion.

The member for Mitchell has on many occasions highlighted the Westfield Shopping Town project, which I know he was pleased to be able to show all Liberal Government members earlier this year. That project is advancing well and is creating about 1 650 jobs, representing a truly remarkable achievement in the south-western suburbs. The SA Water contracting out process will lead to about 1 100 extra jobs, and with EDS establishing here we already have almost 500 additional jobs. There are 800 jobs involved in the Westpac mortgage loan centre's establishing here, as well as probably close to 1 500 jobs being created from Mitsubishi's and Holden's expansion.

It is an exciting time when we see South Australia starting to come back as a major force in the Australian economic scene. This State has come out from a position where we were literally the laughing stock of Australia. Companies had been leaving us for years but we have reversed that and we are starting to build on our position. This is all the more

remarkable because the Labor Government had effectively ruined our economy over a period of 11 years. Who would have thought that in less than three years we would have been able to turn things around as we have done? It is a remarkable achievement and something of which every one of us can be proud. Further in Sir Eric's speech he highlighted other aspects of economic development and he identified the Premier's recent trade mission to Europe and China, again confirming the competitiveness of South Australian industry on the international export market.

**Mr ATKINSON:** Mr Deputy Speaker, I rise on a point of order. The member for Goyder's reference to Sir Eric Neal has aroused my curiosity. Given that the Governor is part of the legislature, is it not appropriate to refer to the Governor only by his office?

**The DEPUTY SPEAKER:** There is no point of order. The honourable member commenced with inane interjections the instant he arrived in the Chamber. I suggest that, if he wishes to stay in the Chamber, he will refrain from doing so.

**Mr MEIER:** I am interested in the point of order that you rightfully did not accept, Mr Deputy Speaker, because the member for Spence has a habit of trivialising certain aspects. While I know that he is not trying to trivialise this, he manages not to see the broader picture and instead goes into the minutia of things. The member for Spence may or may not be aware that His Excellency the Governor of South Australia, Sir Eric Neal, actually asked, after he was sworn in, to be referred to as Sir Eric. It is interesting that the member for Spence should take that point of order, because His Excellency probably prefers to be referred to as Sir Eric.

However, acknowledging the point which the honourable member was driven to make, I am happy to refer to the Governor of South Australia as 'His Excellency'. It is a pity that the member for Spence does not spend as much time on the minutia of the economic development of this State, and it is also a pity that he does not spend more time trying to educate his colleagues not to seek to denigrate and find fault with everything this Government does but rather to offer praise where praise is due. We have seen virtually none of that in the three years in which this Government has been in office, and that is a great shame, because the Leader of the Opposition said that he hoped to be bipartisan wherever possible. He has failed dismally in that respect, but we appreciate the fact that the Leader of the Opposition is there only as a caretaker Leader possibly until the next election, when certain other members will be ready to pounce on that job.

*Mr Atkinson interjecting:*

**Mr MEIER:** The member for Spence interjects 'Yes', so at least he acknowledges it.

**Mr Atkinson:** Any suggestions?

**Mr MEIER:** No, I cannot suggest anyone from that side, but I am sure that the current Leader will not be there after the next election. However, I do not like to be sidetracked. I identified briefly some of the mineral and energy exploration advances. This is great to see because it means that some thousands of new jobs will be created in the next few years. His Excellency pointed out that the cost of mineral exploration is estimated to reach \$35 million over the next year, which is a 300 per cent increase in five years. Once again, the Liberal Government is putting great emphasis on mineral exploration, because we have many natural resources that can add to the wealth of this State. Every member in this House acknowledges that we need to be smarter than the rest of

Australia, and certainly we need to capitalise on the resources or potential resources of this State.

The strengthening of our primary industries is very heartening to see. It has been pointed out by the Premier that primary industries contribute over \$3 000 million to this State's economy. We are hopeful that this year will again be a successful year for our primary industries, because it will not only be a great boost to the rural sector but it will also flow through to all sections of the community and, most particularly, the urban sector. I hope, certainly for the constituents of Goyder and all rural South Australia, that the season will come to fruition by the end of the year.

The water industry is an area which has been knocked by the Opposition continually, and I referred to this matter earlier today in the grievance debate. It was heartening to hear the Minister for Infrastructure identify again many of the positive achievements from outsourcing the State's water services. It is a model now not only for the rest of Australia but also for the rest of the world, and it has been acknowledged in that way. It is a great shame that this measure was knocked continually month after month by members of the Opposition who, even recently, are still trying to make an issue of it, even though it is benefiting us to the tune of millions of dollars and creating many additional jobs—but that seems to be the role of this Opposition.

I was also pleased to hear His Excellency refer to the upgrading and leasing of the Adelaide International Airport. There is no doubt that that will be of great benefit to all sectors in this State. The Brown Government predicts that the runway extension will inject \$225 million into the State's economy over the next 10 years through increased exports. Hopefully, the passenger terminal facilities at the Adelaide Airport will also proceed in the coming year. We have many road works under way, not the least of which is the Southern Expressway. I just wish that previous Labor Governments had not sold off all the land which had been bought over many years to enable a decent north-south corridor. If I remember correctly, all that land was sold for a miserly \$20 million-odd in the mid-1980s. It is all lost now. If anyone is concerned about north-south traffic jams in Adelaide, let them not forget what the Labor Government did by selling off all the land which had been earmarked for a major expressway.

*Mr Atkinson interjecting:*

**Mr MEIER:** I am pleased to hear the member for Spence say, 'Hear, hear!' because it was the former Labor member, Mr John Trainer, who pushed for the sale of that land. It was the greatest catastrophe that the metropolitan area will ever suffer in terms of the need to facilitate traffic flow. Adelaide could have been a city where the traffic flowed smoothly, but we well know that today we can become very irritated with the long delays, particularly when travelling along South Road. One only has to compare it with the amenity provided in any typical small or large American city to realise that we missed out on a golden opportunity back at the time when all the land was bought for the widening of the roads. Anyway, this Government is tackling the job and the Southern Expressway is one of the key projects which is under way, let alone the Mount Barker road project.

I am very pleased to see that work on quite a few roads in Goyder is also taking place, not the least of which is the new road through Kadina. I believe that the undergrounding of powerlines has been undertaken principally by local government. There will be a major new arterial road from the eastern side of Kadina through to Wallaroo. Education is

another area in which this Government is certainly showing strength. It is interesting to hear the Opposition continue to knock—

*Mr Atkinson interjecting:*

**Mr MEIER:** The member for Spence interjects about the Findon Primary School. I remind him that during the time of the previous Labor Government, of which he was a member, 74 schools closed and he has the cheek to remind us about one. I would remind the honourable member that people who live in glasshouses should not throw stones. The achievements in education have been many, including the fact that the Liberal Government spends more per student than does any other State, and South Australian students enjoy the best teacher ratio and the lowest class sizes of any State. Our schools have 12 per cent more school assistants than the national average. We are ensuring that our young people are ready for tomorrow's South Australia with a new \$15 million computer and technology purchasing program to achieve one computer for every five students. Also South Australia spends more on overcoming learning difficulties among school beginners. Basic skills testing, as we know, has been introduced and is working—

*Mr Atkinson interjecting:*

**Mr MEIER:** I am pleased to hear the member for Spence support that. Just this year alone we will spend \$100 million for new schools and upgrades. We can be very proud of our achievements in education. It is pleasing to see that we are leading the country in so many ways not only in education but also in health. We are well aware that in 1996-97 seven newly incorporated regional health service boards will be in operation. I know that a few of them are operating already and they will become the driving force for the coordination and development of health services in each region, with a closer association with the local communities which the health system serves. It is interesting to note, Mr Deputy Speaker, that in health we have had more hospital admissions in 1996-97 than in Labor's last three years—and the waiting lists are shrinking.

We are providing more health services for people with disabilities and more money for Aboriginal health. We have started on long overdue building upgrades at the Royal Adelaide, Lyell McEwin and Repatriation Hospitals. We are building long-promised regional hospitals, including one at Mount Gambier, as you identified, Mr Deputy Speaker. It was interesting to hear you say, Sir, that it went back to 1977 when the Labor Party at that stage promised a new hospital.

Each election since, it promised a new hospital and never delivered. For 20 years it promised a new hospital and it was finally the Liberal Government that delivered. I am sure that if the Labor Party had been returned at the last election you certainly would not have had a new hospital in your electorate, Mr Deputy Speaker, so it was interesting to hear your comments earlier this evening. Also, there is a new regional hospital at Port Augusta and a private hospital at the Flinders Medical Centre. So, we have a lot to be pleased about and proud of in this State. We certainly still have a long way to go to make sure that we get rid of the very unpleasant debt which has been hanging over us, but we have made enormous strides. I am pleased that so much of this was highlighted in His Excellency's speech to the joint sitting earlier this month. As I said at the beginning of my remarks, I am certainly pleased to support the adoption of the Address in Reply.

Motion carried.

## ADJOURNMENT DEBATE

**The Hon. G.A. INGERSON (Minister for Tourism):**

I move:

That the House do now adjourn.

**Mr ATKINSON (Spence):** During grievances on 2 July I spoke about the activities of a shop steward, Mr Richard Kalemba, at the Woolworths warehouse at Salisbury. My information on Mr Kalemba's anti-Asian opinions were from the best possible source, that is, Mr Kalemba himself, to whom I spoke before making my remarks in the House. If, as the State Secretary of the National Union of Workers, Mr Ron Docherty, claims, I was using parliamentary privilege to defame Mr Kalemba, it was most unusual for a bucketing that I should have contacted Mr Kalemba for his version of events and quoted his version in my remarks.

Since I last spoke, the Australian Council of Trade Unions has conducted a secret ballot of employees at Woolworths to determine which union they want to represent them. The ballot was of employees at the Salisbury warehouse, the Gepps Cross warehouse, the Pooraka warehouse, where operations will soon be consolidated, and the head office. Some 264 employees voted, 175 of them for the Shop Distributive and Allied Employees Association and 89 for the National Union of Workers. If the employees are separated into storemen and clerks, the results were 112 storemen for the SDA and 84 for the NUW, and 63 clerks for the SDA and five for the NUW.

Mr Docherty's claims that my remarks could have influenced the outcome of the ballot are not correct. Mr Kalemba's views on Asians were not an issue in the ballot. If anything, the notoriety his views gained would have consolidated his standing amongst his closest followers. As Ms Pauline Hanson, the Federal member for Oxley, has demonstrated, Mr Kalemba's views on Asians do have a measure of popular support. Only one Asian employee voted in the ballot. Mr Kalemba has not sought to quibble with my summary of his views.

The National Secretary of the NUW, Mr Greg Sword, wrote to express his disappointment at my remarks of 2 July, as follows:

The NUW has not, and nor would it ever be, associated with any campaign of racial abuse or vilification.

I accept Mr Sword's assertion. His record in the labour movement gives me confidence that he would not knowingly approve the appointment of a shop steward with strongly anti-Asian views. His letter, together with the result of the ballot, should ensure that if the NUW continues to try to win Woolworths employees from the SDA it will not use Mr Kalemba as a rallying point.

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

**Mr ATKINSON:** If the Minister for Industrial Affairs had been listening carefully he would have noticed that I mentioned to the House the result of the ballot of employees, which I would have thought is the marketplace. That result is quite decisive but, under the Federal Government's industrial legislation, company unions—new unions—are entitled to go into the workplace and compete for membership, and the established unions will have to compete in the marketplace to win the allegiance of workers, as they do in the United States of America.

**The Hon. G.A. Ingerson:** So they should.

**Mr ATKINSON:** The Minister says, 'So they should.' I respectfully disagree with him, but I have no illusions about

what is coming. My principal concern with this matter is racial vilification. It is well known that I am a former official of the SDA and a member, and this appears on the register of my pecuniary interests in the House. I might have remarked on the wisdom of unions throwing their officials and money into a fight between each other for union members at a time when the majority of South Australian employees are not union members, but that is not my business. If the NUW wins the allegiance of Woolworths employees by fair means, good luck to it, and I am sure the Minister opposite would concur in that.

I would have preferred that the *Advertiser* did not report this matter, and I did not seek to have my grievance speech of 2 July published anywhere else. If it has brought my concerns about Mr Kalemba's views and activities to the attention of Mr Sword and the labour movement, it has served its purpose. I did not mention the NUW in my remarks to Parliament. For the purposes of the *Advertiser* article, it was Mr Docherty who identified the NUW as the organisation to which Mr Kalemba belonged. Mr Docherty then advised Mr Kalemba not to speak to the media and to leave all public statements to the State Secretary. Mr Docherty is aware of the risk of Mr Kalemba's being skilfully interviewed by a competent journalist.

In my remarks of 2 July I referred to an assault on the only remaining Vietnamese Australian employee at the Salisbury warehouse, as follows:

It is not clear, however, that the assault was caused by the climate that Mr Kalemba has fostered at the warehouse.

Let me go further. The information I now have is that this assault was in no way connected to Mr Kalemba, and I apologise to him for any implication that that was the case. I also have a letter from the general manager of Woolworths, Mr Tim Orgias, who writes to deny that there is physical intimidation, violence and corruption at the Salisbury warehouse. He writes:

The three incidents to which you refer, where employees got involved in scuffles or threats, had absolutely nothing to do with Mr Kalemba or the issue of union membership.

I should add, however, that the police did lay a charge in July in connection with some of these scuffles, and the person charged and the alleged victim were members of different unions. The company denies that it has in any way taken advantage of Mr Kalemba's alleged racist views. Mr Orgias writes:

The company has never promoted racial intolerance. The alleged views that Mr Kalemba holds, and the activities he may engage in outside of work, are unknown to us.

Woolworths denies that the Salisbury warehouse resembles in any way the film *On the Waterfront*, and Mr Orgias says that, to the best of his knowledge, the Mr Nguyen to whom I referred on 2 July did not leave the company as a result of anti-Asian taunts. Mr Orgias denies that Woolworths has in any way taken advantage of Mr Kalemba's alleged racist views to promote a union demarcation dispute. I accept Mr Orgias's denial. I am confident that the worst of these matters are now behind us and that the Woolworths Salisbury warehouse will be a better place to work for these issues being aired and discussed, whichever union represents the employees.

Motion carried.

At 9.19 p.m. the House adjourned until Thursday 17 October at 10.30 a.m.

