

## HOUSE OF ASSEMBLY

Thursday 28 November 1996

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

LOCAL GOVERNMENT (CITY OF ADELAIDE)  
BILL

The Hon. E.S. ASHENDEN (Minister for Housing, Urban Development and Local Government Relations): I move:

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

Motion carried.

CRIMINAL LAW CONSOLIDATION  
(INTOXICATION) AMENDMENT BILL

Mr ATKINSON (Spence) obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act 1935. Read a first time.

Mr ATKINSON: I move:

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

Self-induced intoxication ought not, by itself, save a person on a criminal charge from conviction. It can now. The Bill, which fulfils the recommendations of the 1990 select committee on self-defence, provides that a person charged with an offence, who was in a state of self-induced intoxication at the time of the alleged offence, should be taken to have had the same perception and comprehension of the circumstances as he or she would have had if sober and to have intended the consequences of his or her acts in so far as they would have been reasonably foreseeable by that person if sober.

Australian common law is that a person charged with an offence can use his intoxication to say that he was in an automatistic state so that it was not he who committed the act (*actus reus*) and to say that he was not capable of forming the relevant criminal intention that must accompany a criminal act (*mens rea*). This point can be illustrated by two cases, one Australian, the other English. My Bill substitutes the English law for the Australian law.

The first case is the Australian High Court case of *The Queen v. O'Connor*. Mark Norman O'Connor was charged with theft and wounding with intent to do grievous bodily harm. He broke into a car parked outside a block of flats. He took from the car a map holder and a knife. When challenged by a police officer, he ran away. When he was caught by the officer, he stabbed him. O'Connor had ingested hallucinatory drugs and alcohol. He told the police, 'I didn't know anything. I wasn't there.' At his trial, he pleaded that he was so affected by drugs and drink that he was in an automatistic state and did not voluntarily commit the act. Moreover, for the same reasons, he was unable to form the requisite criminal intention. Either is sufficient for an acquittal.

The High Court by majority (Justices Barwick, Stephens, Murphy and Aickin; Justices Gibbs, Mason and Wilson dissenting) held that the O'Connor plea should have been left to the jury as a possibility. A retrial was ordered. Chief Justice Barwick, in the leading judgment of the majority, said:

If to take alcohol and drugs with at least the risk of becoming intoxicated is in one sense a reckless thing to do, yet that variety of

recklessness can scarce be carried forward and attributed as a substitute for actual intent to do the proscribed act.

Justice Stephens, who was part of the majority, said:

It would, in my view, require convincing evidence before one might conclude that, as a matter of human behaviour, the person who becomes grossly intoxicated and also commits a crime while in that condition will be in any way discouraged from his initial act of becoming intoxicated by the knowledge that the fact of his intoxication will not be available for use in evidence at his trial to deny the presence of any mental element involved in his crime.

I find Justice Stephens' reasoning unconvincing—and I say that reluctantly because, when I was a law student, I found him one of the finest High Court judges we have had. It is not my purpose to remove the intoxication excuse because I think it will induce violent young males to alter their habits. Mine is not an exercise in harm minimisation. I am moving this Bill to right wrongs. Those who have committed violent crimes should not be acquitted owing to self-induced intoxication. The Bill is a just law and the vast majority of electors will see it as such.

The three judges in the minority (Justices Gibbs, Mason and Wilson) were a formidable team of dissenters and on this occasion I found their version of the law preferable to the majority. Justice Mason said:

It is wrong that a person should escape responsibility for his actions merely because he is so intoxicated by drink or drugs that his act is not willed when by his own voluntary choice he embarked upon a course which led to his intoxication. Society legitimately expects for its protection that the law will not allow to go unpunished an act which would be adjudged to be a serious criminal offence but for the fact that the perpetrator is grossly intoxicated.

Just how the Attorney-General, the Hon. Trevor Griffin, can reject my Bill based, as it is, on the reasoning of former Chief Justice Mason, I do not understand. He can try to belittle my Bill because I went to the wrong law school, but he will find it hard to belittle the reasoning of Justices Gibbs and Mason.

I now come to the second of the two cases, *Director of Public Prosecutions v Majewski*, which was appealed to the Judicial Committee of the House of Lords on a point of law. Robert Stefan Majewski was involved in a brawl in a public house, to wit, The Bull, Basildon, Essex. He assaulted both the landlord and the customers. He assaulted the police officer who arrested him, assaulted another police officer on the way to the station and, the morning after, assaulted a police inspector in the cells at the station. Majewski was charged with three offences of assault occasioning actual bodily harm and three offences of assaulting a police officer in the execution of his duty.

Majewski's defence was that the offences had been committed while he was suffering from the effect of alcohol and drugs. He was tried at Chelmsford Crown Court, Essex, and convicted. He appealed to the Court of Appeal on the grounds that the trial judge was wrong in law in failing to leave to the jury the question whether he did intend or foresee the result of his actions. Majewski argued that the judge was wrong in law in failing to direct the jury that in order to convict him they had to be convinced beyond reasonable doubt that his actions were the product of voluntary movement, performed in a state of conscious awareness, with a proper perception of his physical surroundings, involving the intentional or reckless use of force against the person.

Majewski was asking for the Court of Appeal to rule in the same way as the High Court subsequently ruled in O'Connor. If our Attorney-General (Hon. Trevor Griffin) had his way, Majewski's defence would have been left to the jury as a

possibility. I am pleased to be able to tell the House that Lord Justice Lawton rejected this notion. He said in his judgment:

The facts are commonplace; indeed, so commonplace that their very nature reveals how serious, from a social and public standpoint, the consequences would be if men could behave as the defendant did and then claim they were not guilty of an offence.

When the case went on demurrer (Majewski being in prison meanwhile) to the Judicial Committee of the House of Lords, the Lord Chancellor in Jim Callaghan's Labor Government, Lord Elwyn-Jones, said in his leading judgment:

If a man of his own volition takes a substance which causes him to cast off the restraints of reason and conscience, no wrong is done to him by holding him answerable criminally for any injury he may do while in that condition. His course of conduct in reducing himself by drugs and drinks to that condition in my view supplies the evidence of *mens rea*, of guilty mind.

The Welsh Lord Chancellor continues:

It is a reckless course of conduct and recklessness is enough to constitute the necessary *mens rea* in assault cases.

*Members interjecting:*

**The SPEAKER:** Order! There is too much conversation: it is difficult to hear the member's speech.

**Mr ATKINSON:** He continues:

Acceptance generally of intoxication as a defence would, in my view, undermine the criminal law and I do not think that it is enough to say that we can rely on the good sense of the jury or of magistrates to ensure that the guilty are convicted.

I agree with Lord Elwyn-Jones. His statement of the common law of England is common sense, even if it is not logical to the abstracted mind of our Attorney-General. As Lord Salmon said:

My Lords, I am satisfied that this rule accords with justice, ethics and common sense and I would leave it alone, even if it does not comply with strict logic.

Members opposite believe that they have been delivered by the saviour of Lynton, who as I speak is becoming the Premier of South Australia. But, whether the boy from Netherby or the boy from Lynton is Premier of South Australia will not mean much to South Australian voters if the criminal law is obviously unjust and skewed in favour of criminals at the expense of the public.

I ask the House to read this Bill, which the Attorney will oppose, in conjunction with his amendments to the law of self-defence now before the other place. The Attorney-General—that lawyers' lawyer in the ether of the constituentless Upper House—wants Liberal backbenchers to accept this scene: an intoxicated burglar breaks into a dwelling. The householder is confronted by the burglar. The householder, using whatever is to hand, belts the burglar over the head, say, with a cast-iron frying pan. The burglar retaliates by stabbing the householder with a screwdriver with which he has jemmied the side window. The police arrive. The burglar is charged with breaking and with assault occasioning grievous bodily harm.

Owing to the Attorney's amendment to the self-defence law, the Director of Public Prosecutions is obliged to charge the householder with assault and to put him to the new test of whether the householder resorted to force in the manner of a hypothetical 'reasonable man' and whether the force he used was proportionate, based on reasonableness. The householder fails the test of reasonableness because he clocked the poor burglar with a cast-iron frying pan when he could have stopped the intrusion with a rolled up copy of the *Sunday Mail*, which he had to hand.

The burglar chooses trial by judge alone because no jury would be silly enough to believe the legally respectable story he is about to tell. The burglar is acquitted because not only was he too intoxicated by drugs and drink to have committed the act—like O'Connor, he was so intoxicated he was not really there—but he was also too intoxicated to form the relevant criminal intention.

If the Attorney says that the scene I have described is fanciful, will he tell Parliament why, on principle, it is impossible? The Bill before the House is common sense. It is morally right, it accords with the values of the people we represent: it ought to be supported.

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

### COMMUNITY PROTECTION BILL

**Mr ROSSI (Lee)** obtained leave and introduced a Bill for an Act to restore capital punishment; to provide for more effective protection against criminal activity; to ensure that offenders are adequately punished; to ensure that the impact of crime on the victims of crime is adequately reflected in criminal sentences; to amend the Criminal Law Consolidation Act 1935; and for other purposes. Read a first time.

**Mr ROSSI:** I move:

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

My reason for introducing this Bill is my concern over what has happened in the legal system for the past 30 years. As Judge C.J. King said in *R v Creed* in 1985, a non-parole period no less than the head sentence must reflect the punitive, the deterrent and also the preventive purposes of punishment. The preventive purpose of punishment requires that a serious offender be deprived of the opportunity of posing any further threat to the public for a period of time which the gravity of his conduct justifies.

In common with most western countries, Australia has abolished capital punishment, yet debate on this topic has not abated. I for one am a firm believer that it should not abate, particularly given that our current criminal system is simply ineffective. Until such time as a system can be employed that provides for or promotes a degree of retrospective analysis before a crime is committed, then debate on criminal sentencing procedures must never cease. The entire process is one of analysing the circumstances, objectives and mechanisms in place in an effort to pinpoint weaknesses and set about a process of addressing those weaknesses.

I can remember South Australia as a desirable place in which to work, live and raise a family. There was a time when you could leave your car and house unlocked, let your children play outdoors at the local park or even sleep outdoors on balmy summer nights. Unfortunately, times have changed. No longer can we live with that sense of security. No longer can we go about our business without pessimistically questioning the intentions of others. We have become cynical and disrespectful of our freedom and democracy. During the early second half of this century there was little in the way of social welfare. There was limited public housing, unemployment benefits and child subsidies and no family or education support programs, yet, without all those social safety nets which society takes for granted these days, there was little crime and a greater sense of security and hope.

Today, structures are in place so that people in need can find the support that they require. I admit that individual cases exist where these support structures have failed, yet, overall, they are far more extensive than those that existed 30

or 40 years ago. Why has violent crime escalated to near intolerable levels? The answer is that our values, our sense of community and our respect for humanity has been eroded. Much of my research into crime and capital punishment focussed on studies and debates conducted in the United States. Many would argue that it is a pointless exercise to attempt to draw conclusions from these studies and apply them to South Australia. I agree to a point, as social correlations between the United States and South Australia are somewhat limited. However, what bears a striking resemblance is the path that some aspects of our society is following. Unfortunately, violence and crime is one aspect of our society which could be described as a child of American culture.

The growing disregard for human values, human life and property can be directly correlated to this. Increasingly, this has occurred to the detriment of our fledgling sense of self awareness. Based upon my research, and after witnessing first-hand this phenomenon when I visited the United States earlier this year, I estimate that in terms of our legal system we follow the United States with approximately a 10 year lapse. We have yet to see any real attempts to address this. The United States has embarked upon a program to address its crime rate by returning to tougher sentencing criteria. It will be necessary for us to do the same, following the degradation of our value system. The question is: when will this occur? I believe we must take heed and address the problem before we continue along this unrighteous path and before crime is so entrenched that it becomes insular and near impossible to address. This is not doomsday rhetoric—it is fact.

The cynicism and disrespect moulding our society is being fuelled by a system which no longer rewards the hard working and which fails to protect the innocent. With regard to violent crime, this system has illustrated that it either cannot or will not provide justice for our community. It sends a message to the community of disregard for the innocent. It is a message which provides our youth with little hope. However, I believe that our society is inherently good and that there exists a community sentiment that violent crime needs to be addressed.

When analysing opinion polls on capital punishment, an important trend exists. The majority of people would like to see capital punishment reintroduced for particularly violent crimes. I am referring to not only the survey I conducted within my electorate of Lee—which, I might add, returned an approval rate of 75 per cent for the reintroduction of the death penalty—but to all the survey results I have managed to find. On 21 March 1989 the *Bulletin* published the results of a Morgan Gallup poll relating to the reintroduction of capital punishment which showed that 52 per cent of those surveyed supported its reintroduction. On 28 September 1993, the *Sunday Mail* published the results of a McGregor marketing survey which showed that 78 per cent favoured the reintroduction of the death penalty.

On 2 May 1994, the *Sunday Mail* conducted its own survey which returned 76 per cent approval for the reintroduction of the death penalty. Likewise, an *Advertiser* survey of 13 November 1995 produced a 74 per cent approval rate for the reintroduction of the death penalty. Other surveys, including nationwide surveys and other members' polls, have delivered results well above 50 per cent in favour of its reintroduction. These results say something. We must not disregard what the community is saying. Irrespective of the Party to which we belong, we must work towards delivering

the community's desires. It is not about politics: it is about working towards a better system which will give the people the ultimate decision.

Obviously, the debate is reopened whenever a particularly vicious crime is committed. The issue of capital punishment is most often raised in respect of sex-murder cases, acts of wanton terrorism, or the killing of police or prison officers. The argument for capital punishment usually hinges on the fear of increasing murder rates and increasing acts of senseless violence. However, the available data and its interpretation cannot be conclusive, particularly given that often it has been used as nothing more than a political tool.

An example of the ambiguous available data is described by Grabosky and Koshnitsky in *Homicide and Serious Assault in South Australia*, which was released by the Attorney-General's Department. They state:

South Australia experienced a sudden increase in murder or manslaughter convictions in the five years after the abolition of the death penalty compared to the five years before, yet a detailed report on homicide published in 1981 by the South Australian Office of Crime Statistics showed that the abolition of the death penalty had no effect on homicide trends in that State.

Ivan Potas and John Walker in *Trends and Issues*, published by the Australian Institute of Criminology, argue that capital punishment has some impact on sentencing. They state:

...the juries are reluctant to convict for capital offences, and will either acquit or convict on a manslaughter charge which does not carry the death penalty. In Victoria and Queensland the proportion of manslaughter convictions was higher when capital punishment was available than after the abolition. In New South Wales, although the percentage of manslaughter verdicts rose after abolition, the proportion of murder/manslaughter cases which resulted in acquittals fell dramatically from 26 per cent to 17 per cent over the same period.

Because the death penalty is such a highly emotionally charged issue, it is impossible to gain the true and correct data. For instance, how many murderers are acquitted or have their crime changed to manslaughter? How do you define 'no premeditation to kill—only to inflict serious bodily harm'? How can we check the deterrence effect of our penal system? Is prison a deterrent?

Whilst researching the main arguments surrounding this debate, I found it interesting to note one rule of thumb often embraced by academia. Academia is quite happy to accept the fact that in Australia, although media reports may suggest homicide rates are for ever increasing, statistics show that the incidence of crime is relatively stable when documented on a per capita basis as the number of homicide cases being reported to the police is rising more slowly than the population. This analysis is flawed.

The number of murder cases varies from State to State, as does population growth. I wonder what the explanation is for countries such as Japan or Singapore. Needless to say, the arguments as to whether the death penalty or a prison sentence have ever proven to have any deterrent value are purely academic and should never be treated as a smoke-screen for callous acts of violent crime. There is no doubt that there is grave public concern that convicted persons will re-offend upon their release from prison. At worst, the death penalty provides the ultimate incapacitant. It removes the risk that an offender may escape or be released on licence or parole and kill again. It also removes the risk that a prisoner may kill a prison officer or other inmate while serving a murder sentence.

At best, the death penalty will prevent anyone from considering such a violent course of action. Both these case

scenarios are better by far than the current situation. Although Australia has abandoned the death penalty, it does not follow that it can never be reintroduced. Nor does it mean that it cannot be imposed on Australians travelling overseas. One only needs to look at people found guilty of drug trafficking in some Asian countries. These individuals face the full brunt of strict foreign law. Sure, there are those who would seek to follow in their footsteps and who consider this criminal behaviour an easy means to an end, yet I would strongly argue that the punishment imposed sends a strong message that, if you are convicted, you will be punished and punished hard. A strong deterrent is thus in place for any would-be drug trafficker wishing to operate in Asia.

I pose this question: would you consider smuggling drugs out of Asia? I would say that the overwhelming response would be an adamant 'No' based on the ramifications, if one is caught, ahead of a personal conviction relating to drugs. I use this as an example of deterrence in its purest form. If convicted traffickers, operating through Asia, had considered the human side of their actions, perhaps they would not have embarked on that venture. The human side relates to both the humans they place at risk through their activities and their own human life. It is the human side of criminal activity which I seek to address or, rather, the dehumanising activities of violent criminals.

When I embarked on a program of analysing criminal procedures and sentencing in our State, I was amazed at the history of many violent offenders, and equally amazed at the sentences imposed on these individuals after their being convicted of acts which one could only describe as inhumane. In 1994, William Kurt Garve and Geoffrey John Reardon murdered a North Adelaide restaurant owner and stabbed his wife in the abdomen. Reardon, aged 38, was an intermittent heroin user. He had an appalling criminal record with numerous serious crimes of violence, including robbery and two counts of armed robbery. He had spent most of his adult life in prison. He was on parole when he committed the murder. He committed the murder while serving a sentence of nine years imprisonment with a non-parole period of six years, following a conviction for an armed robbery committed in May 1993. The conviction was under appeal when he committed the murder. He showed no sign of remorse.

Garve, aged 27, was also a frequent heroin user who had a number of drug related convictions. The two associated offences of robbery with violence in May 1993 resulted in concurrent sentence of two years imprisonment. The sentencing judge in the District Court regarded the circumstances surrounding Garve as unexceptional and imposed quite moderate sentences. The two were arrested for the murder whilst in custody on these charges. The murder was committed a fortnight after the robbery and, I might add, after they were arrested for the robbery. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

#### Remainder of Explanation

Kim Noblet, with tendencies towards physical aggression had been involved in a number of prior physical altercations. Noblet and two others assaulted and murdered a very drunken man at the West Parklands. At the time of the murder, Noblet breached a good behaviour bond.

Ian Hutchinson met a young boy—a street kid in the city. He bought him a few drinks, took him home, drank some more and then smashed the boy's head to pieces using a pinch bar. Hutchinson had a long history of offences including armed robbery in 1990. At the time of the trial he was waiting trial for this previous offence.

Paul John Page deliberately stabbed a man in a house at Ingle farm on 19 July 1993. The judge imposed a mandatory term of life imprisonment and fixed a non-parole period of 15 years. At the time, however, the judge overlooked the fact that Page was currently serving a term of imprisonment.

Christianos Van de Wiel, aged 60, with help from Dianne Lawford, strangled Steven Serbert on 26 April 1990. He claimed he was provoked by a prior argument with Serbert two days before. He had a history of violence including three counts of assault and four counts of resisting arrest.

Robert James Andrews, aged 44, murdered his girlfriend at her Ferryden Park flat on 18 September 1994. His reason for the crime was that she was unwilling to have anal intercourse with him. Andrews had previously been sentenced for having sex with his six year old daughter amongst other convictions.

Hieu Duy Dinh, aged 31, and Angela Linda Sinclair, aged 22, murdered Sinclair's former de facto Ronald Brian Pittit by placing a bomb in Mr Pittit's letterbox. The victim reported to police that Sinclair was in possession of heroin. A custody battle for the pair's children ensued. Hieu had a number of prior convictions, the most serious involving the possession and dealing in heroin. The murder was committed whilst he was on parole for this crime.

Gary Grant Shaw, aged 34, strangled and stabbed Tanya in her home on 10 July 1995. It appears that Mr Shaw has an inability to accept the fact of being rejected by his partner. He was under the influence of alcohol at the time. Mr Shaw had a number of prior convictions, the most serious was in 1987 where he was convicted of manslaughter of Ms Trudy Ann Woodward by using a knife to stab her more than 13 times in the neck and body. He was currently on parole when he committed the second murder.

Craig Allan Williamson, on 14 July 1993, murdered his neighbour in the shed by stabbing him with a knife. Williamson was on Oxazepan at the time of the crime, on the night of the murder. Williamson was from a broken home and had a poor school record, he was on parole for armed robbery at the time of the murder.

Michael Barry Fyfe, age 34 years, divorced. At the age of 15 years Fyfe was placed in a boy's home. He ran away and ever since then he has been in trouble with the law. All of his previous convictions involved either assault, grievous bodily harm or attempted murder. On 16 January 1995, whilst serving a sentence, Fyfe murdered Anthony Trevor Tilley at Yatala Labour Prison. Tilley was working in the kitchen when Fyfe came up behind him and stabbed him in the back. Fyfe then twisted the knife before pulling it out. Fyfe was sentenced to life imprisonment, with no prospect for rehabilitation.

Phillip Vernon Moyle, age 25 years, was under the influence of drugs and alcohol and had been taking heroin for three days prior to 24 December 1994, when he murdered a man who was asleep in his own car. Moyle went over to the vehicle in which the victim was asleep and went through his pockets and took a little under \$4. Moyle and two other men siphoned petrol out of the tank of the victim's car. Moyle then poured approximately one litre of petrol over the man and then flicked on a cigarette lighter. The victim burnt to death. Moyle has had numerous other convictions both as a child and adult relating mainly to driving, theft and violence.

The cases outlined above are a mere drop in the ocean of repeated violent offenders who obviously have no regard for human life and, quite clearly, have learnt nothing through the sentences imposed upon them for their prior convictions. These cases illustrate one thing—the system is not working. It provides minimal deterrence coupled with the fact that, quite clearly, there are individuals who cannot be rehabilitated. Ultimately, there is no mechanism to address these felons.

The entire role of our judicial and penal system should be to provide the community with security and to adequately deal with offenders in a manner which reflects the gravity of their crime. Knowing that the community will be protected from violent individuals, or, at least, violent individuals will face justice for their actions, is the least that any criminal judicial system can provide.

The lack of respect for the victims of violent crime seems to be condoned by the judicial system which focuses more on the well-being and life-history of the perpetrators than the well-being of the victims or the life-changes of the families. Also, prisons have become a dumping ground for people who constitute a threat to society. For some they represent nothing more than a home. For many, they are not places of rehabilitation where their actions can be reflected upon. Judges agree that, in many violent criminal cases, the chance of rehabilitation does not exist. The current mechanism, however, allows only for incarceration in an overcrowded prison

system. The ideal scenario would be the prevention of crime in the first instance—through strong deterrence.

Under the Criminal Law Consolidation Act, the sentencing criteria does not go far enough. It does not provide adequate guidelines for criminal sentencing. This Act has provided me with impetus and determination to re-install strong sentencing criteria so as to address the injustices occurring today. The system is not working. It is a system drafted by lawyers and passed by politicians. It is a legal document with a judicial rather than social perspective.

Crimes of extreme violence must be dealt with equally extreme punishment. Current laws provide little in the way of sentencing guidelines for repeat or violent offenders.

The present system:

- does not protect the victims and their families,
- it has not developed a safe environment for the law abiding, the hard working or the innocent,
- cannot allow for alternative measures for recidivists,
- has failed to send the message to the community that the Government's duty and obligation is to provide security for its citizens,

The current system protects nobody!

This Bill offers a clear message to those offenders who cannot, or are unwilling to learn from their prior actions. It is a Bill which provides a mechanism to deal with such offenders. The penalty of death will only be passed if the person is found guilty of murder for a second time. This is not draconian. It is an acknowledgment that many are concerned with the fate of those innocent individuals who are wrongly charged. My Bill takes into consideration this concern.

When you read the current proceedings in the Bryant case and weigh these up with previous media stories which detailed the tragic event at Port Arthur, an uncomfortable picture is illustrated. Here is an individual, obviously violent, obviously has no regard for human life and obviously cannot be rehabilitated. What do you do with such a person? Do you protect society from him by locking him in a cell designed to protect him from others? A cell which, for all intents and purposes, is part of the rehabilitation organism? I do not believe that this goes far enough. The message from the Bryant case is that you can murder over 30 people and receive isolation in a comfortable dwelling.

It is absolutely necessary to formally give a clear message to our community, and our youth, that violent behaviour will not be tolerated and that justice will prevail. The Government has an obligation to protect the community and deterrence is a necessary criteria. If harsher penalties are good enough for speeding motorists surely the same must be said for violent criminals. I will always be an advocate of the re-introduction of the death penalty and an advocate of community initiated referendum. The community, is after all, who we represent and serve.

Safety:

Adelaide is no longer a safe place to live.

Police admit, the *Advertiser*, 20 April 1991, that 'the public could no longer expect to be able to move safely through any part of Adelaide at any time, and although some sections of the community still believe police could be there to protect them from danger, no matter where they went or when... 'That particular attitude has got to be quashed...' Superintendent Dean Lenton said. 'In these times it is totally unrealistic to expect total protection at all times'.

Support for Death Penalty in Australia:

1. Young Liberals: the *Advertiser*, 8 October 1988, Doc. 2. (Tasmanian Branch) 'for heinous crimes such as mass murder or multiple rape'.

2. Queensland National Party: the *Advertiser*, 8 October 1988, Doc. 2. The Party voted 282-266 in favour of the capital punishment at the National Party State conference.

3. Liberal Party of Western Australia: the *Australian*, 12 May 1988, Doc. 4. 'The last State to abolish hanging, Western Australia could become the first to reintroduce capital punishment using high tech executions. The State Liberal leader Mr MacKinnon made the return of the death penalty his own personal promise.'

4. Liberal Party of Victoria: the *Advertiser*, 26 November 1990, Doc. 11, 'The Victorian Liberal Party voted in support of reintroducing capital punishment'.

5. Federal Police—Mr Peter McAulay the head of the Australian Federal Police, supports death penalty for terrorism and brutal murder.

South Australia:

Support for Referendum on capital punishment  
Politicians:

1. Dale Baker, MP the *News*, 20 September 1990 and the *News*, 21 September 1990, Docs 3 and 7.

'The question of reintroducing capital punishment should go to a referendum at the next State election'.

'Unlike the Labor Party whose MPs are forced by the Party platform to oppose capital punishment, in the Liberal Party any parliamentary vote is a matter for each individual member's own conscience. I happen to believe there is a case for having capital punishment on the statute books for cold-blooded murder, for terrorist outrage and for killing police officers in the course of their duty. But my view is only one among many in the Liberal Party and in the wider community'. The *Advertiser* 27 Sept 1990, Doc. 8.

2. Councils the *Advertiser*, 3 February, 1993, Doc. 6.

SELGA secretary Mr Ken Collin said that 'the plan to lobby for a referendum had been supported by Beachport, Naracoorte and Port MacDonnell district councils. Mt Gambier City Council passed six motions seeking tougher action on crime including capital punishment'.

3. Dorothy Kotz, MP the *Advertiser* 15 and 21 April 1993 Doc.

6. Ms Kotz said she would move on 28 April for a referendum on whether to introduce the death penalty for malicious acts which lead to murder. She has made the move after collecting more than 11 000 signatures supporting the death penalty.

4. MPs who support capital punishment in extreme cases include: the *Advertiser*, 15 April 1993, Doc. 6. Independent Labor Speaker Mr Norm Peterson; Liberals: Heini Becker; Dorothy Kotz; Harold Allison; Peter Arnold; Stan Evans; John Meier; Graham Gunn; Peter Lewis; Julian Stefani; John Oswald. National: Peter Blacker.

5. Michael Atkinson, MP, Labor, the *Advertiser*, 4 February, 1993, Doc. 5, 'has joined the push for the State Government to hold a referendum on reintroducing the death penalty. The 14 State MPs who supported the return of capital punishment for extreme cases also were joined by Liberal MP, Mr John Burdett.'

6. Wayne Matthew, MP, Opposition correctional services spokesman, said he did not believe capital punishment was a deterrent but supported its return. 'It provides mental compensation for the families of the victims'. The *Advertiser*, 4 February, 1993, Doc. 5.

7. MPs who voted for the referendum in the Parliament: the *Advertiser*, 7 May 1993, Doc. 5: Harold Allison; Peter Arnold; Peter Blacker; Bruce Eastick; Stan Evans; Graham Gunn; Dorothy Kotz; Peter Lewis; John Meier; John Olsen; Ivan Venning. The motion was defeated 31-11.

8. Lorraine Rosenberg, MP the *Advertiser*, 3 July 1996, Doc. 9, conducted a survey in her electorate, Kaurua, which shows that 75 per cent of the electorate support the death penalty.

9. Joe Rossi, MP, the *Advertiser*, 9 May, 1996, Doc. 14. Back from a United States study tour is more determined than ever to see the death penalty reintroduced.

10. Police: the *News*, 17 February 1988, D 17. A former SA police officer has called for the introduction of death penalty as 'it might be an effective way to deal with terrorists who posed a continuous threat to community safety'. Mr McAulay was formerly NT Police Commissioner. Before that he was a senior detective with the SA Police Department as officer in charge of the Major Crime Squad and working with intelligence.

In October, 1986 the 30 member council of the Police Federation of Australia voted unanimously to press State and Federal Governments to hold a referendum upon the reintroduction of capital punishment.

Polls

1. Morgan Gallup Poll—52 per cent. The *Bulletin*, 21 March 1989, Doc. 27—52 per cent for capital punishment.

2. Morgan Gallup Poll—51 per cent. The *Bulletin*, 10 July 1990.

3. TV Hinch program—127 917 in favour, 2 668 against, 20 September 1990.

4. McGregor Marketing—78 per cent, *Sunday Mail*, 28 February 1993.

5. The *Advertiser* survey—72 per cent, the *Advertiser*, 5 February 1993.

6. *Sunday Mail* survey—*Sunday Mail*, 2 May 1994.

7. The *Advertiser* poll—74 per cent, the *Advertiser*, 13 November 1995.

8. West Hindmarsh Thebarton—60 per cent, the *Advertiser*, February 1993.

Burnside Council Poll—50 per cent the *Advertiser*, 31 March 1993.

Kaurna—75 per cent, the *Advertiser*, 3 July 1996.

Lee—75 per cent.

Sturt Federal seat—84.2 per cent, the *Advertiser*, 15 April 1993.

9. Nationwide survey—67 per cent, *Sunday Mail*, 4 June 1995.

Adelaide—70 per cent.

Perth—71 per cent.

Melbourne—62 per cent.

Sydney—63 per cent.

Brisbane—65 per cent.

Hobart—68 per cent.

Petitions—In House of Assembly:

· 28 April 1993

· 20 April 1993

· 23 March 1993

· 9 March 1993

· 17 August 1993

· 3 August 1993

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

### STATUTES AMENDMENT (SEXUAL OFFENCES) BILL

**Mr WADE (Elder)** obtained leave and introduced a Bill for an Act to amend the Bail Act 1985, the Correctional Services Act 1982, the Criminal Law Consolidation Act 1935 and the Criminal Law Sentencing Act 1988. Read a first time.

**Mr WADE:** I move:

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

In 1994, 38.4 per cent of convicted sex offenders went home for dinner after sentencing. They served not one day, not one

hour, not one minute for the sex crimes they had committed. I am talking about rapists, child molesters and indecent assault felons, convicted by trial, jury or their own admission and allowed to walk the streets after their conviction with only a bond, a fine or a suspended sentence as a consequence of their despicable actions.

In 1995, nearly 66 per cent of defendants, or two out of three, charged with a sexual offence, had prior convictions. Our Parliament has enacted in law that the maximum sentence for rapists to be life imprisonment, yet 24 per cent of convicted rapists, or one in four, walked free in 1994 with a suspended sentence as a consequence of their actions. They are amongst us now and, for all practical purposes, they got away with raping another person.

The Bill I present to this House today ensures that a convicted rapist, a person convicted of unlawful sexual intercourse with a child under 12 or a person convicted of indecently assaulting a child under 12 will face a minimum incarceration period of five years before parole will be considered. The sexual offences covered by this Bill are: rape; attempted rape; unlawful sexual intercourse with a person under 12 years of age and over 12 years of age; attempted unlawful sexual intercourse with a person under 12 years of age and over 12 years of age; indecent assault of a person under 12 years of age and over 12 years of age; and incest. I seek leave to have inserted in *Hansard* a summary of offences and proposed minimum sentences covered by the Bill.

**The SPEAKER:** Will the honourable member assure me that it is purely statistical?

**Mr WADE:** It is purely statistical.

Leave granted.

Table Summary of Offences covered by this Bill

Sexual Offence	Current Maximum	Proposed Minimum
Rape	Liable to Life	5 Years
Attempted Rape	12 Years	3 Years
Unlawful Sexual Intercourse under 12	Liable to Life	5 Years
Unlawful Sexual Intercourse over 12	7 Years	3 Years
Attempted USI under 12	12 Years	3 Years
Attempted USI over 12	Two thirds of maximum	One third of maximum
Indecent Assault under 12	10 Years	5 Years
Indecent Assault over 12	8 Years	3 Years
Incest	7 Years	5 Years

**Mr WADE:** At the present time, a person convicted of drink driving will have his or her licence revoked for 12 months. In extreme extenuating circumstances, the courts can lower this to three months, but Parliament has placed in law a minimum penalty of three months, no matter what circumstances prevailed at the time. Yet there is no minimum penalty for convicted child molesters or rapists. Parliament controls the minimum sentencing process with regard to drink driving offences, yet it does not impose a minimum for convicted sex offenders. Parliament must ask itself whether it believes that a convicted sex offender should receive a consequence of gaol for his or her abuse of another person. If the answer is 'Yes', the facts show us that the courts are not fulfilling Parliament's intentions.

Parliament must ask itself whether convicted sex offenders should be incarcerated for a mandatory minimum period as decided by Parliament and written into statute. If Parliament is of the view that all convicted sex offenders should receive

a gaol sentence as a consequence of their actions, it is Parliament's duty to set the minimum standards in law that give the courts the direction that has been so sadly lacking for the past 50 years. It has been done for drink driving offences: it should be done for convicted sex offences.

This Bill proposes mandatory minimum gaol sentences in recognition of society's demand for retributive justice. It enables victims of sexual offences to rebuild their lives in the sure knowledge that the convicted perpetrator will not be able to re-offend or disrupt the victim's rehabilitation process and recovery from their ordeal for at least three or five years. Sadly, many victims of sexual offences serve a life sentence of fear and low self-esteem. Society demands that this fear should be lessened by a minimum incarceration period for the offender.

The Bill proposes restorative justice for offenders in the form of mandatory, proven, effective rehabilitation programs that will address the causes of their aberrant behaviour and

minimise repetition of these offences. It is a fact that sexual offenders one day will be released from prison. It is a fact that they will return to the community to live amongst us. It is a fact that they will continue to present a risk of re-offending unless they come to understand their behaviour and on release return to society as a positively changed and healthy individual.

This Bill provides for the establishment of a 10 year register of all convicted sex offenders to be maintained by the Police Commissioner after the release from prison of a convicted sex offender. There is no legal or constitutional reason why Parliament cannot legislate for minimum sentences. That fact is not in doubt. Convention has kept previous Parliaments from imposing minimum gaol sentences. Convention has no legal basis. It can be changed and should be changed for the sake of the present and future victims of sex offenders.

Some say that judges are trained to sentence offenders and that a minimum sentencing regime would undermine this legal training. Research indicates that the Australian legal profession is not trained in the principles of sentencing. There has been virtually no research in Australia on the aims of punishment. Australian judges would appear to be flying blind on sentencing principles and procedures. This was noted by Chappell and Wilson in 1986, who stated:

There is very little evidence that Australian criminal justice thinkers, policy makers and administrators have seriously considered these problems.

It could be said that the application of minimum sentences for sex offenders would prevent the courts from taking into account mitigating circumstances offered by the offender as reasons for his or her committing a sex offence. What mitigating circumstances could possibly excuse the actions of a sex offender? I cannot think of one acceptable reason that would excuse the behaviour of a convicted rapist or child molester. A magistrate warned me recently that, even though he had no difficulties with the concept of minimum gaol sentences for sex offenders, the situation of a man raping a prostitute was different from that of a man raping a nun. He told me that magistrates needed to reflect that difference when passing down a sentence.

I see no difference: rape is rape. A victim's profession or lifestyle should not be a mitigating circumstance. A lawyer told me that a woman in bed with a man, both naked, who then refused to have sex with the man, who ignored her refusal, was different, albeit more acceptable, from a situation of a woman refusing to have sex with a man in the parklands, where the man forced himself on her anyway. It is such moralistic, situational judgments by some members of our legal profession that serve only to support my contention that mitigating circumstances have no place in the sentencing process of convicted sex offenders. Excuses are endless. All rape is violent. The extent of that violence should be taken into consideration by the court in its deliberation of a sentence and non-parole period greater than the mandatory minimum.

Let us explore this point further. There is a fallacy that each and every case is judged on its own merits and a sentence imposed that reflects the unique circumstances of the offence and the offender. In reality, there exists a tariff system, whereby it is the practice of the courts to impose a fairly precise type and level of penalty for particular offences. A tariff certainly exists for crimes of a sexual nature and is rarely departed from, except in a few cases that are truly exceptional. Therefore, the uniqueness of each case is

subservient to the tariff system of accepted penalties. Judges have their own package of punishments, regardless of the individual.

Under my Bill, any fine tuning of sentencing by the judge based on an offender's personal circumstances can be applied to a consideration of the length of the sentence to be imposed in addition to the minimum parole period set by statute. It has been claimed that a person facing three or five years imprisonment on conviction of a sexual offence would contest the charge and never plead guilty, thereby lengthening the judicial progress, clogging up the courts and putting the victim through greater pain and trauma. As Justice King stated (1980 21SASR 442):

If the offender has nothing to gain by admitting his guilt, he will see no reason for doing so.

Anecdotal evidence suggests that some victims are loath to continue the trauma of a court case, knowing that a conviction may see the offender walk away or receive a sentence of months, not years. Facts tell us that victims who go through trials where the offender is found guilty and walks free suffer greater pain and trauma over the injustice that has been meted out to them by the courts, coupled with a fear of reprisal and a sense of loss of personal safety.

The five victims who endured the rigours of a trial in 1994 and won were rewarded by seeing the convicted offender walk out of the court guilty but free. Facts tell us that 56 per cent of burglars and over 50 per cent of robbers plead guilty, but only 27 per cent of sex offenders enter a plea of guilty. Just over one in four plead guilty—the rest fight it out in court, anyway. Many are facing a maximum sentence of life imprisonment if found guilty, but three out of four choose the court process. Justice King's comments have little relevance to sex offences.

It is time to consider the victim before the offender. The court system is failing to provide justice to an increasing number of sex offence victims. Courts should give a consequence for the particular sex offence. They should consider the victim, consider public protection and, finally, consider the circumstances of the offender that may influence a sentence greater than the minimum set down in statute for the offence itself. That is how it should be. Some say that the introduction of minimum sentences would clog the prison system. Recent information contained in the *Advertiser* states that the prison system is already becoming clogged, that a new gaol is needed and/or alternative methods of punishment required. I point out here that I am not alluding to my colleague's capital punishment Bill.

If my Bill had been law in 1994 our prisons would have had to accommodate 30 extra persons. Those 30 extra persons would not clog up the gaol. It has been said that gaols will be fuller and there will be an extra cost to taxpayers to support the prisoners. It would be a great travesty of justice to put money before the safety and protection of people. There are too many examples of that happening in our society today, and I urge Parliament not to add to them.

During my initial research for this Bill I came across one practical difficulty, which I thank then Justice Roma Mitchell for resolving in her committee's recommendation 9.1.2, as contained in the Report of the Criminal Law and Penal Methods Reform Committee of South Australia 1977. I take the example of any adult male, 18 years or over, who is living in a stable sexual relationship with a 16-year-old girl. If the police find out and he is arrested and charged with unlawful sexual intercourse and found guilty, under the system I am

proposing he would face a minimum of three years in gaol. That is unjust. My Bill contains a clause that says that 'a person aged 16 years or over is capable, for the purposes of a criminal prosecution, of consenting to sexual intercourse with a person who is not more than five years older than him or her'. Therefore, a person in their sixteenth year could consent to sexual intercourse with a person who is in their seventeenth to twenty-first year inclusive.

The age of consent in South Australia is 17 years. It should be 16 years to bring it into line with the other States, but that is not the thrust of this Bill, although I welcome amendments from my colleagues and the Opposition. A 10-year register should be kept of all convicted sex offenders. This is not a world's first: in May 1996 President Clinton introduced 'Megan's Law', which requires such a register. The President said:

There is no greater right than a parent's right to raise their children in safety and love. If you [sex offenders] dare to prey on our children the law will follow you wherever you go, State to State, town to town.

The United Kingdom is pressing ahead with setting up a register of convicted sex offenders. Canada recently amended its criminal code, adding a period of supervision of up to 10 years following the release from prison of sex offenders. We are not the first in this area—and we should not be the last—to introduce a register.

This register will not be available for public scrutiny but will be made available by the Police Commissioner in a manner and form as determined by him for law enforcement purposes, protection of the public or any other prescribed purpose. In 1995, 28 per cent of charged sex offenders had previously served time in prison. It would seem that prison is not the place for rehabilitation, so why should we impose mandatory minimum sentences? The purpose of my Bill is not to increase sentences—some offenders already receive greater sentences than my minimum sentences—but to ensure that every convicted sex offender is incarcerated so as to maintain society's confidence in its protective watchdogs—the Parliament and the courts.

Under my Bill, rehabilitation is a requirement. Every attempt must be made to assist sex offenders to modify their behaviour so that when they re-enter society citizens are not placed at risk of becoming victims of further sex offences. Successful rehabilitation can be implemented in the prisons system and can assist an offender who is in denial. That is why my Bill makes it mandatory for sex offenders to attend rehabilitation programs.

Today I do not have the time to go through the modern rehabilitation programs in use around the world, especially in Western Australia's Casuarina Prison and in prisons in Canada. I will supply all relevant information as requested, because it proves beyond doubt that the past 20 years has brought great strides in our understanding of the criminal mind. We now know the criminal mind. We now know the methods that we must employ to bring about successful behaviour changes in criminals, whether or not these programs are attended voluntarily or compulsorily. With modern programs it does not matter: they still work.

We must now bring ourselves up to date and shrug off the misconceptions of the past. We must fully embrace rehabilitation as the means to minimise recidivism. If they receive no treatment, sex offenders will re-offend. At present sex offenders walk free from gaol or the from the courtroom and go back into society with no rehabilitative requirement or exposure—and that is a disaster. Minimum sentencing

without the rigorous application of rehabilitation programs both inside and outside prison will result in that application of minimum sentencing being a complete failure—a failure to society, the victim and the offender.

The main opponents of mandatory minimum sentencing appear to be lawyers. I understand the desire of lawyers to keep all options open for themselves and the court on the basis that their clients should be afforded all possible arguments to minimise the sentence they receive, but where is the justice to the victim and society and particularly to the offenders who need help to prevent a recurrence of their behaviour, when they are found guilty or plead guilty to a sex offence and walk free—but guilty—from the court or serve only a few months in gaol with no exposure to programs that have been found to change their attitude and behaviour?

Where is the justice to the victim and future victims, because there will be future victims without rehabilitation if society does nothing to protect them? Every convicted sex offender who walks free from the courtroom is a further indictment of our judicial system and its failure to protect the public and preserve the peace. The appeal system in our courts is used only in extreme cases of sentences that are seen to be manifestly unjust. The appeal system is not enough, as attested to by 38.4 per cent of convicted sex offenders who walk free and stay free even though they have been found guilty. It is the responsibility of Parliament to send a strong message to would-be sex offenders that society will not tolerate their sex offending behaviour and that incarceration will be a certainty upon conviction, regardless of the offender's personal background or the offender's particular circumstances. I refer to the words of a friend of a woman who, along with her 18-month old son, Michael, was murdered by her sexually abusive repeat offender ex-partner. The friend stated:

How many more Amandas and Michaels have to die before the politicians realise that something needs to be done?

I commend the Bill to the House.

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

#### **PUBLIC WORKS COMMITTEE: ADELAIDE TO CRAFTERS HIGHWAY**

**Mr OSWALD (Morphett):** I move:

That the forty-second report of the committee on the Adelaide to Crafters Highway upgrade be noted.

This is one of the most important references to come before the Public Works Committee for many years. For as long as I can remember there have been discussions in South Australia about the upgrading of this road. Proposals have been put forward for diversion roads through Belair and into the southern suburbs but, at the end of the day, people travelling interstate and moving heavy goods seemed to persist in wanting to take the shortest route, which follows the existing alignment from Crafters through to the old gum tree, at the intersection of Cross Road, Glen Osmond Road and Portrush Road.

The department proposes to upgrade and modify substantially the route from that intersection at the old gum tree through to Crafters. It is noted that all the funds for the project—both capital and recurrent—will be provided by the Federal Government and the South Australian Government. I am sure that the public of South Australia are grateful that the Commonwealth has seen fit to support this upgrading of a national highway. The project involves the upgrading of the



existing carriageway from the old gum tree through to Crafers by widening the road from the old gum tree up to Devil's Elbow. Additional traffic lanes will be put in on either side and improvements will be undertaken to the Glen Osmond Road, Portrush Road and Cross Road intersection.

A new highway corridor is proposed from the Devil's Elbow, running east of the present route, through a twin tube tunnel beneath Eagle on the Hill, then west of and approximately parallel to the present highway route for about 2 kilometres. Whilst the public does not have access to the tunnel, I am quite sure that, if any honourable member approached the Department of Transport, they would be very welcome to inspect the work site and see the test tunnel that is in position at the moment. From a lay person's point of view, they would witness what will be quite an interesting engineering feat of putting through the twin tunnels. Any member would be most welcome to contact the Department of Transport, and I am sure it would organise a tour.

The new corridor will generally trace the existing road alignment, although at a substantially lower level of course, with the improved road being 2.1 kilometres shorter than the existing route between the same points. Local residents have already said to me that it would not save a lot of time, but the real saving is in safety and the ability for heavily laden trucks travelling in a westerly direction to avoid the many twists and turns and steep gradients that exist at the moment which, in wet and foggy weather, must be a tremendous traffic hazard for the drivers.

The existing road is characterised by a relatively narrow alignment, sharp curves and steep grades in its ascent up the Mount Lofty Ranges to Crafers from Adelaide. We currently end up with bottlenecks, if we do not have accidents, as heavy vehicles try to negotiate corners in busy traffic periods.

*An honourable member interjecting:*

**Mr OSWALD:** We can talk about that in the grievance debate. This is a very important project for the State and I know that the House supports the Public Works Committee's report. Significant safety and congestion problems exist on the present highway in comparison with other roads, and surveys of users indicate that the steepness, narrowness and number of curves on the present highway are the major contributing factors to this problem.

It is interesting to note that the accident rate on the Mount Barker road is approximately six times greater than that on the adjoining South-Eastern Freeway. If nothing else, that has certainly justified the commitment of funds to clean up what was a very difficult piece of roadway in this State. Since 1987 the existing road has been improved by supplementary lighting, pavement upgrades and median barriers installed in locations where the carriageway, width and alignment permit. However, despite all this work on the part of successive Governments and the Department of Transport, the accident rate has just not decreased. If we achieve nothing else, we will at least improve the smooth flow of the traffic, particularly as the population continues to increase in the Adelaide Hills area, and also as the heavy vehicle traffic continues to increase through the Hills freeway. As the State continues to expand under this Government, the need for an expanded highway becomes evident to all.

It is an excellent project and one that will bring significant financial benefits to this State by freeing up the movement of all types of traffic. The committee supports the construction of the Adelaide to Crafers highway in the belief that it will result in a significant reduction in the number of road accidents, travel times and vehicle accident costs. As such,

pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to the Parliament that it recommends that the proposed works proceed as soon as possible.

**Ms WHITE (Taylor):** I will not delay the House by too many minutes. I just want to add a single point that I do not think the honourable member mentioned in his speech. He is correct in saying—and it is a view shared by members of the committee and I dare say the whole of this Parliament—that this is a very important public works, that the accident rate on that stretch of road has been horrendous for this State, and the loss of life has been appalling, particularly around the Devil's Elbow section of that road, which fills a lot of people with fear every time they traverse it.

The small detail that the committee's presiding member did neglect to mention was that this was an initiative of the Federal Labor Government. In fact, it was the Federal Labor Government that committed the funds to this project. It is a federally funded project. The State Government is not putting money into the project: all the money is coming from the Federal Labor Government.

The members of the committee went on a site visit to Crafers and Devil's Elbow. A couple of Liberal members of the committee took the opportunity to have their photos taken in front of the construction work—the members for Mitchell and Davenport. I am sure that, when they distribute newsletters with photos of themselves standing in front of this great public works, they will do the honourable thing and include the very important and significant detail that this was indeed a Federal Labor Government initiative. I will be watching with great interest to see the newsletters as they are produced with these colourful photographs which state quite clearly in large type that this was a Federal Labor Government initiative.

Motion carried.

#### SUMMARY OFFENCES (PROSTITUTION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 November. Page 563.)

**Mr BASS (Florey):** I support this Bill. It introduces a number of relatively minor changes, long overdue, to the present laws regarding prostitution. We hear some people say that our prostitution laws are not working properly so we had better repeal them altogether. What nonsense! Even my colleague the member for Unley put on the record on 23 February last year that he does not support prostitution and would find the prospect of his daughter becoming a prostitute truly appalling. In respect of my family, I would agree. It would be terrible that a young woman turned to prostitution.

If we believe that prostitution is truly appalling, we should make sure that our laws against it can be enforced, particularly with respect to the big criminals involved. We also need to be able to stop the thinly disguised advertisements for prostitution in the Yellow Pages and other places. The SA Police, in its prostitution report tabled in this place last year, made some recommendations as to how the Summary Offences Act should be improved. The Bill before us seeks to implement some of these recommendations. It is not a big deal. I personally think it should go further but, at the very minimum, all members should give these amendments a chance before they complain that the prostitution laws are not

working. We should be paying more attention to the suggestions of the South Australian Police, who have an excellent record in this area: we should be listening to them more than the madams from some brothels.

I was very interested to hear the recent speech of my friend and colleague the member for Playford on the final report of the Social Development Committee. He said he has no problems with people paying others for sex, but he went on to say he has a real problem with brothels in residential areas. 'They are a nuisance. They are associated with all sorts of other crime', he said. He wants to be able to telephone the police and say, in effect, 'Please deal with these problems'. I hope that the member for Playford votes for this Bill, because that is what it is all about. It is about giving police the updated laws they need to be able to deal properly with the problem brothels. Let me state that the problems mentioned by the member for Playford are not confined to brothels in residential areas: drugs, child prostitution and illegal weapons can be found in brothels in any area.

Police need to be able to use sufficient force to enter a brothel to obtain the evidence they need. It is no good going to Sunny's Studio in a commercial or residential zone to follow up a tip-off on child prostitution, illegal drugs, illegal weapons or immigrants to find when you get there that Sunny has installed a high-tech security system. Under the present laws, Sunny can keep the police out of her high-tech fortress, remove all traces of evidence to crime and then open the door to police only when she is good and ready. That is not good enough.

I am absolutely certain that not a single member of this House would want to vote in favour of child prostitution but, if the police are not given the power to enforce our prostitution laws, there will be more and more child prostitution because police will not be able to obtain the evidence needed to prosecute. If members want to help police stamp out child prostitution, they should vote for this Bill. If prostitution becomes established in a community, it becomes a focus for evil of other kinds. Melbourne journalist, Tom Noble, who has done considerable research on prostitution in Victoria, said:

It would be naive to report the vice industry to be a clean, crime-free business. It has traditionally been a big money earner, where the strongest and the smartest survive, and it is likely to remain that way. In legalising prostitution, new problems have been created and, in reality, the situation has not improved. The Prostitutes Collective believes things have got worse...police are convinced the front men are acting as 'owners' for criminal groups...only local council officers can now enter brothels to check that everything is in order as brothels have been relegated simply to a local government planning matter...The Municipal Officers Association which represents by-law officers said that it is not qualified to do the job.

All these quotes are taken from the book *Inside Victoria*, edited by crime reporter Bob Bottom in 1991. Since that time the Kennett Government has reviewed the situation and, last year, Victorian prostitution laws were amended to give police more powers, but a front page report in the *Age* on 19 March last year, commenting on the boom in illegal brothels in Victoria, stated:

The Prostitution Control Act is to become a law in June. But the quiet growth of illegal brothels has entrenched an industry that police and legal brothel owners say will be difficult to eradicate.

Victoria opened a Pandora's box when it legalised brothels 10 years ago; it is now trying to put the nasties back into the box, but it is too late. Let us not copy them in South Australia. Last month, the member for Playford commented that the police in other Australian States tend to treat

prostitution as a victimless crime and that they do not police it. He seemed to be saying that South Australian police are the only ones who take prostitution crime seriously. I do not know to what extent this is an accurate assessment but it may well be.

Two States and two territories have now legalised or decriminalised prostitution. It was interesting that on 6 March last year, during a seminar on prostitution law reform at the Adelaide University, Dr Barbara Sullivan from the Australian National University said that Canberra police had not made any prostitution arrests in the 10 years before 1992 when the ACT Legislative Assembly formalised the situation and made brothels legal. Moreover, it seems that the hands-off approach by the ACT police still continues and, according to an article in the *Australian* on 23 February (page 11), crime in Canberra brothels remains 'rife'. I gather that a Canberra brothel madam confirmed this situation to members of the Social Development Committee when they visited Canberra last year. We simply do not know to what extent there is exploitation and abuse connected with ACT prostitution because no-one in authority is investigating it.

New South Wales repealed its law against street prostitution over 20 years ago and repealed virtually all the other prostitution laws last November. I am told that for some years beforehand there had been no brothel prosecutions. I believe part of the reason for repealing the prostitution laws in New South Wales has been the problem with corruption in not only the New South Wales Government but also its police force. Some sordid details have been emerging from the Wood royal commission. However, I am not convinced that crime is ever eradicated by eradicating the law.

An article in the *Advertiser* of 22 August 1996 (page 2) stated that a brothel is opening in a Sydney shopping centre and that the New South Wales CES is promoting brothel jobs. I do not believe that anyone in South Australia would want a bar of that sort of thing. In contrast to the police in some other States, the Police Force in South Australia can hold its head high in terms of integrity and community support. This has come about not by accident but by carefully planned strategies and controls to prevent corruption. We should be proud of our police record, proud to help them to do their job in helping our community live decent and peaceful lives. The few amendments in this Bill will make the work of the South Australian police just a little easier. I believe that the Bill deserves bipartisan support and I commend it to the House.

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

### GLENTHORNE RESEARCH STATION

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

That this House supports the retention of the Glenthorne Research Station at O'Halloran Hill for use as metropolitan open space.

In putting this motion to the House, I feel it important to acknowledge the work of the local community, the people of O'Halloran Hill, Sheidow Park and Trott Park, for the enormous amount of work they have jointly done over the past 10 years to ensure that the property known as Glenthorne was not sold off as land for housing or, more recently, as a cemetery. Members present—and I am sure the members for Fisher and Bright particularly—may recall the former Federal Government's plans to release more than 15 000 new housing blocks in metropolitan Adelaide by 1990 as part of a \$128 million sell-off of Commonwealth land. The O'Halloran

Hill Glenthorne site was one of seven sites being considered for sale. The report under consideration by the then Prime Minister (Mr Hawke) indicated that the piece of land known as Glenthorne was at the time the second most valuable piece of land in question.

The site, comprising some 228 hectares, was valued at \$33 million and could yield 2 200 housing blocks. In 1992 the member for Fisher questioned the then Minister for the Environment (Hon. Susan Lenehan) on her department's involvement in secret plans to subdivide the Glenthorne property for medium density housing, contrary to the assurances by the then Federal member for Kingston that the land had been saved from development. The member for Fisher advised the former Minister of his information that the CSIRO, in conjunction with the Department of Environment and Planning, was actively proposing plans for medium density housing with access from Morphet Road. It was the former Minister's department that had developed the plans for the housing proposition.

Minister Lenehan acknowledged the member for Fisher's concerns and, even though she indicated that it was not her intention to subdivide the Glenthorne land, she did not affirm an intention to protect the site from the possibility of future development. Not even a month had passed before the option for a cemetery was proposed for the Glenthorne site. The Glenthorne site has a historical significance to South Australia, particularly to the southern region. The site in the O'Halloran Hill area, known originally as Lizard Lodge, passed from use as an agricultural holding in the hands of private owners to acquisition by the Commonwealth of Australia on 16 June 1913 under the Land Acquisition Act 1906.

During the First World War Glenthorne served as a depot for training horses for shipment to India. The depot was then known as the Remount Depot, and its first commandant was Captain Norman Campbell, a Boer War veteran and skilled horseman. The Captain's wife, Mrs Dora Campbell, described Glenthorne as a showplace where visiting English officers on their tour of inspection were amazed and delighted to pick grapes from the vines on the property. Horses, harnessed in a kind of two-wheeled dog cart with unusually long shafts, were broken in along the South Road alignment of the property, and more than once they led their drivers a dance until passers-by came to the rescue.

In her reminiscences, Mrs Campbell also spoke of the ammunition huts built on the depot during the First World War. Each set of huts was built well apart from the other and filled with explosives, which, I must add, during the Second World War shattered the windows of three nearby cottages on South Road. In its war days Glenthorne was a community with its own special lifestyle, its maintenance depending entirely on the work of the remount men. During those latter stages of the war, large numbers of horses and donkeys were kept at the depot but, as the army became more mechanised, the last of the horses were transferred to the army depot at Woodside, where they were mainly used for ceremonial occasions. The old atmosphere of Glenthorne lost much of its character and charm, and gradually succumbed to the agglomeration of portable galvanised iron and timber-frame living quarters for married and single men, cookhouses, messes and stores.

On 4 November 1946, soon after the end of the Second World War, the Commonwealth sold Glenthorne to the Council for Scientific and Industrial Research for use as a field station by the Division of Biochemistry. Today, the

Commonwealth Scientific and Industrial Research Organisation owns the site freehold. The station falls within the management of the CSIRO Division of Human Nutrition. As the division's attention has moved from grazing animals to small animals such as rodents, which are accommodated elsewhere, its property needs have similarly evolved over time, such that the station has become surplus to requirements. The site as it now stands is some 228 hectares, housing a collection of buildings ranging from relatively modern brick and tile buildings constructed in the 1970s through to historic stone buildings constructed last century.

A section of the site is leased to the Waite Agricultural Research Institute, which runs sheep as part of its research programs. There are also remnants of vegetation scattered throughout the site. However, the bulk of the site is cleared grazing land. My motion is not the first initiative taken to preserve and protect the Glenthorne Research Station. As I noted earlier, the surrounding residents have diligently mounted campaigns each time the site has come under threat. However, this time it is a little different, because the residents will not be fighting this threat on their own. As the local member and a local resident, a long-term southern resident, along with my neighbour and colleague the member for Mitchell, I have given an assurance to the local community to do whatever is possible to retain Glenthorne as open space.

It is important to note that the metropolitan section of the development plan designates the O'Halloran Hill area as an important regional buffer and regional recreational area. With State and Federal Governments placing increasing emphasis on urban consolidation, greater pressure is being placed on open space areas. As a State we have recognised the need to set aside, enhance and preserve strategic areas of regional significance. This is what Glenthorne is. Glenthorne should be a greater part of the second generation parklands. Glenthorne is the green lungs of the south, an area of major historical significance, and must be recognised and retained as open space.

**Mr CAUDELL (Mitchell):** I support the motion. Both the member for Reynell and I issued a media statement some three weeks ago supporting the retention of Glenthorne for open space, for bushland and recreational purposes. The member for Reynell has worked very hard with the local community in the Trott Park-Sheidow Park area with regard to saving Glenthorne for future generations of South Australians. It is very much an irony that, over the weekend, the Leader of the Opposition issued a press release asking the Government to support his stance on continuing Glenthorne as open space. The member for Reynell and I appreciate greatly the support that has now come, albeit belatedly, from the Leader of the Opposition, supporting the stance that we had publicly taken previously to ensure that this area be kept for open space.

It is on the record that the previous Minister of Planning under a Labor Government, Susan Lenehan, supported partial housing on that piece of property under the 2020 vision statement. The former Federal member for Kingston publicly supported the establishment of a cemetery on that property. I appreciate and acknowledge the fact that the Labor Party has now turned around and distanced itself from its previous position on Glenthorne and now supports retaining it as open space, as both the member for Reynell and I have publicly put on the record.

We are looking to this Parliament also to support the retention of Glenthorne for open space. We appreciate that

this is Commonwealth land and it will be a Commonwealth decision. However, we are looking to this House to send a message to the Commonwealth that we, the people of the southern and south-western suburbs of Adelaide, believe that this parcel of land should be maintained for open space.

We are also thankful that the Australian Labor Party acknowledged that our press release was a very good one, because they used half of that release when they went to the press on Sunday and addressed the issue of Glenthorne. Obviously members opposite thought that what we had put into the community was very good because they had even used our phrase, 'the lungs of the south'. I acknowledge the support they have now given the people of the south-western suburbs with regard to this area.

This area should be maintained as bushland and for recreational purposes. A recent meeting of the residents association raised the point that consideration should be given to issues other than involving recreational purposes. However, I do not believe that one of those issues should be taken up by the Federal Government in its consideration of the future use of this land. The farm there could be converted to a nursery or used for educational purposes; for example, local schools could visit the property to see how animal husbandry is carried out. Other areas are available for development within the city of Adelaide without our having to go and butcher this fine area of land in our hills face zone.

Other areas for development in Mitchell alone need to be addressed, including the former Tonsley Primary School property, which is yet to be developed. It has been approved for housing by both the Marion council and the local community, but at this stage no takers have come forward for that land. We still have the Mitchell Park housing development, which has suffered through the slowness in the housing industry over the past six months—a development that was established by a former Minister for Housing and Urban Development, the member for Morphett, who assiduously pushed for the development of that area and the re-emergence of the suburb of Mitchell Park. I acknowledge the good work that my colleague has done on the Mitchell Park housing development. Still more development is to proceed in that area and, as the member for Morphett would agree, he set down a visionary plan for the redevelopment of the Mitchell Park area. Further development is to occur there, and I hope that the Government will move forward on the development proposals that the member for Morphett proposed when in Cabinet.

The Marion council has to address the issue of minimum allotment sizes. That council presently is one of the few councils with a minimum allotment size of 420 square metres for redevelopment. The Marion council needs to address this issue because, with the ageing population in the south-western suburbs, large blocks of land are no longer a criterion. People wish to stay in the suburbs around Marion because it is a good part of Adelaide in which to live, but they wish to live on smaller blocks. Marion council needs to address the minimum allotment size so that further development can occur in this area.

We need to look at other areas and save. Besides Glenthorne, we acknowledge that the Minister for Recreation and Sport has had a working party looking at providing open space and recreation and sport facilities in the south-western suburbs, with the availability of open space such as Bowker Street and also the Sturt Primary School on Norfolk Road, which becomes available at the end of this year. That working party and the consultancy group is about to report to the

Minister for Recreation and Sport, and I look forward eventually to perusing that report and its recommendations on the use of sport and recreational facilities in the south-western suburbs. I appreciate the opportunity to be able to support the member for Reynell on this very important motion and message that we send to Canberra indicating that Glenthorne needs to be saved not only for this but for future generations.

**Mr OSWALD (Morphett):** I am appalled to think that anyone would contemplate the further subdivision of land in the southern region. I do not think anyone in this Chamber will still be alive when the time comes for any future Governments to consider what happens to this land at Glenthorne Research Station. The tactic in the past, certainly when I was Minister, was that the Federal Labor member for the area kept putting out press releases to create a public perception that the fate of that land depended on a decision by the State Government. We made plain at the time that this Government has no interest at all in subdivision of the farm, and I can state categorically that that policy has not shifted since the time I was Minister.

The land south, around Seaford, which we have a responsibility to sell, and the further holdings in the land bank down there will adequately serve the south well past our lifetime if we add to that the amount of land currently becoming available to the north of Adelaide. Both the members for Reynell and Mitchell, who have identified this land as potential metropolitan open space, have a firm grasp of the reality of the situation in that region. I can only support what they say from the position of having been in the Chair when we were further planning the open space regions—the buffer zones—to the north and south of the metropolitan area. This Government does not support—I cannot speak as a member of Cabinet but I can certainly do so as a member of the Liberal Party in this Parliament—any subdivision of that land or see any need in the future for a subdivision. As open space is encroached upon we need a clear policy as a Government on what we will allow to be opened up in future.

Members will recall the policy that I announced with the Premier two years ago on the containment of housing to the west of the old South Road to preserve the vineyards in the Willunga Basin. The philosophy behind that decision also applies to Glenthorne Farm. As a member representing the western and south-western suburbs, I would be horrified if any authority stepped in to subdivide that piece of land. I commend the member for Reynell for bringing the matter to the attention of the House and urge all members to support it.

**Mr De LAINE** secured the adjournment of the debate.

#### **TUMBY BAY MENTAL HEALTH PROGRAM**

**Mrs PENFOLD (Flinders):** I move:

That this House commends the professional cooperation of the people of Tumby Bay and district who undertook a very successful strategy for mental health care and suicide prevention through an innovative preventive primary care program within their community.

Tumby Bay is 600 kilometres by road from Adelaide but only an hour by air. Unfortunately, almost all psychiatric and psychological services are based in Adelaide and are therefore completely inaccessible—logistically and financially—for the majority of people in the Tumby Bay district.

The suicide of a 15 year old student gave general practitioner, Dr Graham Fleming, and others the resolve necessary to undertake the project. I stress the importance of suicide prevention, since males in their teens and twenties in rural areas are the single largest group in suicide statistics. After the suicide of this teenager it was obvious that unless the community attempted to solve the problem it was likely to grieve after more suicides. General practitioners, teachers, parents and mental health professionals at Tumbay Bay cooperated to set up the Child and Adolescent Mental Health Project.

The local resources identified comprised medical and nursing staff who had some rudimentary training in mental illness and teachers who were professionally trained to deal with children and adolescents. A team approach using these people was decided upon as the best approach to tackle the problem. The team consisted of Dr Graham Fleming as director; teacher Gladys Fleming as project officer; the District School Supervisor, Kent Spangenberg; the acting school principal, Kim Mason; the deputy school principal, Helen Lovegrove; and the Director of Nursing, Pauline Kearns. Specialist resource people included a psychiatrist, Dr Carol Dorrington, and educational psychologist, Dr Gary Childs.

Dr Fleming spent eight weeks in the Department of Psychiatry at the Women's and Children's Hospital in Adelaide to confirm his understanding of the principles of child and adolescent psychiatry and to ensure that his practice of child and adolescent psychiatry was of a safe and satisfactory standard. He also attended the Smith Kline Beecham SOS program for prevention of adolescent suicide where he was asked to be a general practice moderator in future programs.

Information sessions were held with teachers to explain the nature of mental illness and the signs or symptoms which may be representative of some underlying problem. In fact, the team sought to identify any child or adolescent whose behaviour or learning was not consistent with a student of that age or level. Some teachers also became involved in the DECS Cornerstones program. Dr Childs spoke on learning difficulties. Mrs Kearns conducted educational programs herself or used the Adelaide Northern Child and Adolescent Mental Health team.

Through the Tumbay Bay Hospital and health services Mrs Kearns also organised for a team of mental health nurse educators to give a series of lectures over two days to the community. These meetings were crowded with people coming from nearby towns and districts as well as Tumbay Bay. This educational role was fundamental to the success of the project. Mrs Kearns was awarded the 1996 South Australian Nurse of the Year largely as a result of her part in the project. The school principal, deputy principal, a general practitioner and the project officer were the active team members who met at the school on a regular basis either weekly or fortnightly. The Director of Nursing joined the team less often as she was not so directly involved in student-teacher-parent interaction. However, she provided an interface with the community.

There was a free flow of information between members, but discussions remained confidential. Problems were categorised under four headings: social, behavioural, psychiatric and learning. Some included a combination of the four. All management programs were based on the premise of the school's behavioural management program which had been recently reviewed and updated. The children who could

not be managed under this program were considered for assessment. An individual program was made for each of the students by the parents and class teachers. Initially teachers referred only the most difficult children because they were easily identified. However, the results were so encouraging and successful that an avalanche of children was referred as teachers became more experienced at recognising more subtle signs.

After 18 months the initial rush became more of a trickle as children and adolescents who had suffered problems for years were dealt with and only new cases had to be picked up. At the end of the project smaller numbers of children presented at much lower ages and year levels. Teachers were the main point of referral. However, some children were identified in general medical practice or by the police. Those students primarily identified by the doctor or brought to the doctor's surgery by their parents were, if suitable, and with the student's and parents' permission, entered into the program. Specialist services were used to verify the assessment of the team and were an important part of the evaluation strategy.

Once a child or adolescent was identified as possibly having a disability, they were observed by the team and, if the student's problems seemed significant, a formal assessment was made. A significant problem was diagnosed as frequent episodes in detention or deterioration in school work. Thus the selection for assessment was based on chronicity or severity of the presenting signs. Some children identified seemed to settle back into normal routine and made good progress, so no formal assessment was made in those cases. Once a student was considered for entry into the program the parents were contacted, the program was explained and permission was sought for the child to be included in the project. Parent permission was also sought for inter-agency discussion with normal confidentiality standards being maintained.

The project officer became the interface between senior teaching staff, teachers, the general practitioner, students and parents. The project officer was both a qualified teacher and counsellor but had also worked as a doctor's receptionist, and all these skills were used. The results of the project were encouraging. The number of children who were identified and assessed was consistent with the proportion found in general literature. The preponderance of male students—more than three times the number of female students—surprised, but again these figures were consistent with those in literature. Mr Deputy Speaker, I seek leave to insert in *Hansard* a table and graph.

**The DEPUTY SPEAKER:** Can the honourable member assure the House that the table is purely statistical?

**Mrs PENFOLD:** Yes, Sir.

**The DEPUTY SPEAKER:** With regard to the graph, members have been advised previously that diagrammatic and graphical material is not suitable for publication. Therefore, the graph cannot be included.

Leave granted.

Year	Year and Sex Distribution		Total
	Male	Female	
1	2	0	2
2	1	1	2
3	4	1	5
4	6	1	7
5	6	2	8
6	2	1	3
7	4	0	4
8	4	1	5

9	3	0	3
10	0	1	1
11	1	1	3
12	5	2	7
Total	38	11	49

**Mrs PENFOLD:** It would be easy to postulate that boys are expected to be boisterous and girls quiet, or that girls learn to express themselves emotionally at an earlier age. However, the incidence of mental illness in the community is evenly divided, if not biased towards the female population. The team found it hard to believe that they were missing the girls and they felt that perhaps a screening instrument should be sought to see whether there was a discrepancy.

The team was exceedingly successful at assessing children with learning problems and only slightly less successful at identifying those students with psychiatric problems. These results were confirmed by senior educational psychologists and psychiatrists in their field. The strong correlation between learning problems, behavioural problems and psychiatric problems was a surprise. However, when the low standard of literacy among inmates of gaols is recalled, the correlation is perhaps not surprising. Children with evidence of psychiatric illness (for example, depression and conduct disorder) were referred to the general practitioner. Again, a plan of management was initiated with the student's and parents' permission. Students who were considered to have a significant psychiatric diagnosis, or where medication was begun, were referred to a senior specialist child and adolescent psychiatrist. The psychiatrist either continued management or referred the student back to the team or general practitioner.

Where the team considered that significant learning problems may be present, the student was either referred to a school services officer provided by the Education Department or to an educational psychologist provided by the project. The educational psychologist was of immense benefit to the project. He made a comprehensive written assessment and offered helpful strategies to parents, students and more importantly teachers. Once serious learning problems were identified, the State schools system had little resources to deal with them. However, the professionalism of the teachers at Tumby Bay Area School was such that they could adapt teaching methods once they understood the nature of the problem.

Another plus was that the school was better able to target Learning Assistance Programs (LAP) to students' individual needs. Having freed up some of the school services officers' time, they were able to write special programs for the students. Evaluation was performed on several levels. The team's assessment was checked in this pilot study wherever possible so that the accuracy of the assessments could be professionally evaluated. Most of the evaluation was subjective because the cost of an objective screening process was beyond the finances of the project.

Parents, students, teachers and general practitioners were asked whether the program was helpful for an individual student, with each student being graded on seven possible levels of response. The team approach functioned efficiently, with meetings, lasting about an hour at lunch times, held two or three times a month. Informal interaction between team members occurred between meetings. Discussions were frank, covering students who were in the program and others

who were being observed. Assessment, progress and management for each student on the working list was discussed.

Overall, the project exceeded everyone's highest expectations. Teachers found that difficult students were more manageable and they had another avenue of assisting students who were not progressing. Students themselves were greatly relieved to know that someone cared and understood their problems. In particular, children with learning problems often felt a great weight was taken off their mind when they found they were not dumb and not programmed for failure. Parents were extremely grateful that someone was at last taking notice of their child's problems and almost universally were cooperative. Specialist services were grateful that their referrals were now well targeted and efficiently arranged. Of the 20 children assessed as having a significant learning problem, 19 were confirmed. Of the 26 children assessed with psychiatric disorders, 20 were confirmed and the remaining six had mild depressive illness or social and/or adjustment disorders.

The peak incidence of all problems occurred in three specific year groups: years 3 to 5, year 8 and years 11 and 12. The four different assessments of each student—that is, behavioural, psychiatric, learning and social—all had a similar year distribution. This correlates well with the three important development stages of the child and with administrative changes in the school—for instance, the change from primary to secondary school level. Also, 35 out of 49 students entered the program because they exhibited behaviour considered abnormal for their age and background. Psychiatric problems were often found secondary to behaviour and/or learning problems. Children who had proven significant learning difficulties were the second most common form of presentation. Some of the students were undiagnosed as late as year 10. Dyslexia had a high incidence but, as the figures are low, they are not statistically significant. It was difficult to know what was cause and effect in relation to behavioural and psychiatric problems.

In fact, it was found that 50 per cent of psychiatric problems had associated learning disabilities. The resources of the educational psychologists were crucial to the success of the project because learning disability had both a cause and effect to other problems. Social problems were strongly correlated with behaviour and psychiatric problems. Therefore, a child's assessment is not complete without an assessment of social behaviour. The Tumby Bay mental health project has shown that a team approach using teachers and GPs can provide efficient and effective primary mental health services as good as any available in the State. It can make reasonably accurate assessments and rapidly target those people who require more specialist services. Because of early intervention, it avoids the more difficult secondary behaviours and allows the child or adolescent to be managed locally, with resources that are readily available.

Economically, the project is relatively inexpensive with regard to both resources and finances. Most of the costs incurred were one-off for in-service training of the GP manager and to a lesser extent for the educational psychologist. Resources used were those found in most small country towns, that is, GPs and teachers. Usually one of the teachers has counselling skills, although others may be found in the general community.

**Mr De LAINE** secured the adjournment of the debate.

### BAROSSA TOURIST TRAIN

**Mr VENNING (Custance):** I move:

That this House congratulates TransAdelaide on the successful reintroduction of the Barossa tourist train and hopes that it will become a regular service.

To date, we have had three successful trial trains to the Barossa, and the train this Sunday will be the fourth and final train. This Sunday's train is fully booked, as was the case last Sunday. The trains have been a fantastic success. On Sunday 10 November I was delighted to be aboard the first Barossa tourist train when about 130 people made the trip from Adelaide to Nuriootpa. AN did not give approval for the train to go the last 10 kilometres to Angaston, which was disappointing.

**Mr Becker:** Why was that?

**Mr VENNING:** AN claimed that the track was unsafe, but I have great difficulty with that explanation because it is flat going and there are no bridges. Even if we had crawled at a very slow speed to Angaston, the journey would have been worthwhile. We had to travel the remaining distance by bus. Minister Diana Laidlaw flagged the train off at 9.30 a.m., and her involvement was much appreciated. At first the weather was overcast, but the clouds lifted and it turned into a nice day. The train seemed to get to Gawler in no time at all. Being an express, it did not stop on the way, but we had a slight delay at Gawler because we needed clearance from AN to proceed further.

*Mr Atkinson interjecting:*

**Mr VENNING:** I remind the member for Spence that I paid my full fare and did not use any privileges.

**Mr Becker:** How much was the fare?

**Mr VENNING:** The fare was \$35, and I remind the House that that represents extremely good value. Not only was the train trip included but also the bus trip at the end covering the loop, so it was good value. There was a delay at Gawler simply because AN had to give us clearance to go further and we could not get AN on the telephone. That was a disappointing aspect, and it makes one ask a few questions. Nevertheless, we overcame that hurdle and proceeded on. The commentary on the train was good and the information provided was excellent.

The commentary was obviously taped beforehand by a person with a lovely, smooth voice that came over the loudspeakers as we journeyed through the countryside. The train, which was excellent, was a 2000 Class railcar, noticeably quiet, smooth and very clean. The behaviour by patrons on the train was excellent, and the TransAdelaide staff could not have been better chosen. Balloons provided an extra carnival atmosphere. A cup of coffee would have been nice, and I hope that TransAdelaide has investigated that. In fact, that amenity was probably provided on subsequent trains. Some background German drinking music might have been appropriate and appreciated, but only in the background, because most people wanted to talk and enjoy each other's company, especially on the return trip when most people were extra friendly.

The scenery from Gawler to Nuriootpa was beautiful, with rolling hills contrasting with the fresh, green vineyards previously unseen by most patrons, particularly by me. I often make the journey from Gawler to the Valley, but I have never done it by train. The different scenery from the train opened my eyes. It reminded me of regions of England—your country, Sir, the channel country. It was magnificent to ride

through the vineyards without encountering any pollution or obstacles on our way. True, we did see some backyards that should be tidied up in the next week or so. All along the way it was noticeable that people were watching and waving from vantage points at crossings. There were people with cameras, people on top of the cuttings, and even people in vineyards and backyards who stopped to wave to us as we went by. On arrival at Lyndoch we were greeted by an enthusiastic crowd led by Mr Robert Thumm, joint owner of Chateau Yaldara. A very attractive and appropriate sign was erected which read 'Welcome to Lyndoch'. I note that the member for Light is agreeing wholeheartedly with what I am saying.

*Mr Becker interjecting:*

**Mr VENNING:** We certainly had a soft drink at that early stage of the day. Not many of us left the train at Lyndoch because, like me, most people wanted to ride the train to the journey's end. We wanted to start our Barossa experience at Angaston and work our way back to Lyndoch and rejoin the train there. The majority of the other passengers did the same. We journeyed on to Tanunda, through magnificent scenery, reminiscent more of the English countryside, as I just said. On arrival at Tanunda, we were greeted by a large and just as enthusiastic group, welcoming us to the newly restored magnificent Tanunda Railway Station. I had another drink with Mr Alan Gallagher, who would be known to many members—an ex-Canberra press gallery member. He was a very prominent greeter. It was a pity that we could not use the platform, as AN had recently cut the edge back by 1 metre from the train. Only AN would know why. When this service becomes permanent, I hope we can recommend that this should be rectified.

We travelled on again, running parallel with the Barossa Valley Way, in the middle of the most fertile and concentrated vineyards, and reached the train's terminus at Nuriootpa. Again, this railway station was restored by the youth of the Barossa Valley, now affectionately called Track Four. It is providing an excellent service to the young people of the valley. It was a disused asset but is now very much used. The train terminated at Nuriootpa. As I said, AN did not give approval to go the last 9 kilometres. Many were disappointed, especially the visitors to Angaston. The AN employees on the train were miffed, saying it was just bloody-mindedness. When it was said that we could not do the lot, they said, 'Hell, you just might be successful.' They were AN employees, along for the ride and experience.

A very smart, newish TransAdelaide Mercedes bus awaited us at the station, as occurred at all the Barossa stations. Four of these very smart buses ran a rapid loop service all day, letting down almost anywhere the patrons wished to go. Large signs on the front of each bus indicated the bus number and the driver's first name. As a result, it was not long before we worked out who was due where, and approximately 15 minutes was the longest time between buses, although there was an occasional stretch within a squeeze. The drivers were well chosen: they were very chatty, affable, polite and helpful, often joining in the chit-chatting of some colourful, verbose patrons who, understandably, became more garrulous and verbose as the day progressed.

Our first bus and its driver, Vince, took us to Angaston. We had a coffee before we did the main street over. We all displayed a prominent yellow sticker emblazoned with, 'I discovered Barossa with TransAdelaide'. The stickers earned us 10 per cent discount at some of the shops, especially Angus Park Fruits, where we had a buy up. The stickers also

earned us extra greetings and smiles as the 'terrorists' entered the town. On that day, I was not the local member but just a tourist enjoying first hand the total experience: I wanted to get a feel of what was being offered to the patrons.

Then, by a series of visits and bus trips, we worked our way back to Nuriootpa and Tanunda, including the Barossa Wine and Tourism Centre. We had a beautiful lunch at the Wiental, and shopped in many of the boutique shops of all sorts and the cottage work shops. The towns really have laid it on. There were a lot of people about. Another highlight was a display by the Barossa Vintage Machinery Society, which fired up just for the occasion.

We ended up back at Lyndoch and went to Chateau Yaldara, where many of us had a last buy-up to the limit of either our arms or our wallets. There was a slight hiccup as the last bus did not arrive and we missed the train, but eventually we caught the train at Gawler and a very happy group reminisced about their day. It was a very successful day, and almost needs to be a two day experience. I will return, as no doubt will many others. Maybe the member for Spence may wish to ride his bike there. I noticed that there were bikes on the train. He could put his treddy on the train and, if he wished to ride, I do not think there would be any extra charge for the bike.

The question put to me was, 'Could we consider free rail passes for pensioners, at least one per year, to be reimbursed through Social Security?' Also, many of the train buffs on board would like to see the Bluebirds used on this route. Apparently, they are still available, and I understand that two or three entrepreneurs wish to use them. The Bluebirds were sold to a Malaysian company by the name of Cracklejack. I understand that something has gone wrong and the company no longer requires all of them. I believe that a private entrepreneur has expressed interest and hopefully will end up with them. So, once again we may see the Bluebirds on the track. In any event, TransAdelaide has done a magnificent job. It is up to TransAdelaide and the Government as to what will happen to the service in the end.

The fourth and final Barossa trip planned for this coming Sunday is fully booked. TransAdelaide is planning to increase the size of the last train to meet the public demand. This has surely proved to be a great success and, hopefully, after all this, we will have a regular service. I want to particularly thank and congratulate Minister Diana Laidlaw for her dedication and enthusiasm: her personal involvement—I cannot stress that enough—as she was there flagging off the train cannot be overestimated in the success of the project. I also wish to pay tribute to the outstanding efforts of Mr Brian Sincock and the Barossa Regional Economic Development Authority (BREDA) for putting it all together. The trial trips have been an outstanding success. I hope there will now be a regular service. I wish the venture all the best.

**Mr BUCKBY (Light):** I wish to add a few words to the debate. I will not go through the great detail that the member for Custance outlined but I point out that this railway line has been overlooked in the past in terms of its potential for tourism. This trial has really highlighted that fact, given that 130 people took the trip on the first day, 245 on the second and, on the subsequent third and fourth trips, the train was filled to capacity, as the member for Custance said.

It is a magnificent line through the hills of the Barossa Valley and going to the wineries. I would have to add my support to Mr Brian Sincock and the staff of the Barossa Regional Economic Development Authority (BREDA) who

have really got behind this and looked at it not only as a rail venture or experience but as a link, as the member for Custance said, with buses that will take people from the train to the wineries and other important tourism areas within the Barossa Valley.

This has really developed from an idea that was first raised by the late John McAvaney some two years ago when he approached me. In the 1980s, as the member for Custance suggested, he ran Bluebird trains on a dinner trip to the Barossa Junction. He sold that business in the late 1980s—

*Mr Venning interjecting:*

**Mr BUCKBY:** The member for Custance corrects me and says he used Red Hens. That business was sold in the late 1980s, and the new owners unfortunately could not keep up the same standard and it subsequently fell to its demise. The late Mr McAvaney approached me a couple of years ago with the view of buying or leasing Bluebirds from AN and restarting the rail venture. Unfortunately, he had a heart attack and died some 12 months ago, so it is particularly pleasing to see that BREDA has picked up this idea and run with it.

When I first entered this place, one thing that I thought should have been done within the valley was the inception of this tourist train, and that is happening now. I actually went to Victoria and looked at the Puffing Billy line and the sorts of ideas used in that regard, because I thought those ideas could be transposed into a Barossa Valley tourist rail experience. Other areas open up from the venture. For instance, weddings are now being conducted on Puffing Billy. Guests travel by train to an area or a house where wedding receptions can be held. Dinners are served on Puffing Billy, or you can travel by train to the reception centre, have dinner and then have port and desert on the return trip. A range of products has been developed by the operators of Puffing Billy and sold to international tourists, as are Australiana goods. Similarly, the potential is there for these things to be developed with the Barossa Valley rail experience. I am sure that those sorts of ideas will be developed in time.

I support what the member for Custance says and I hope that this becomes a permanent feature. I am sure that, like the Mount Barker to Victor Harbor line and the great support that that rail experience has received, so too will the people of South Australia and tourists undertake this train trip to the Barossa Valley.

I would also add that private people in the valley are getting right behind this as well and are developing other aspects of the valley. In particular, Mr Thumm, the owner-manager of Yaldara Winery, has donated \$50 000 towards the development of a village green at Lyndoch to attract more tourists and to develop the village green type idea of Lord Lyndoch, after which Lyndoch is named. I commend the Minister for Transport for supporting this program and seeing it to its fruition. I look forward to many more successes of the Barossa rail experience.

**Mr De LAINE** secured the adjournment of the debate.

#### ADELAIDE AIRPORT CURFEW

Adjourned debate on motion of Mr Atkinson:

That this House disagrees with the Minister for Infrastructure's call for the Federal Government to reconsider the 11 p.m. to 6 a.m. curfew at Adelaide Airport and calls on the Federal Government to entrench the curfew in statute law.

(Continued from 14 November. Page 577.)



**Mr ATKINSON (Spence):** I seek leave to amend my motion as follows:

Delete the words 'Minister for Infrastructure' and insert the word 'Premier'.

Leave granted; motion amended.

**Mr ATKINSON:** If a sacrifice is to be made by householders for the sake of the economy, the Liberals want it to be made by people in the west, not people who live in the Liberal's eastern suburban heartland. For instance, the Hon. Dr Bernice Pfitzner, who lives in the foothill's suburb of Skye, canvassed the idea of concentrating most of Adelaide's brothels in the Mile End area. The Minister for Transport, who lives in Stanley Street, North Adelaide, has been canvassing the transfer of 1 400 interstate semi-trailers and B-doubles a day from Portrush Road in the Liberal voting eastern suburbs to South Road in the western suburbs. The same Minister, the Minister for the Environment and Natural Resources and the Minister for Health have been involved in denying access to western North Adelaide via Barton Road to the people of Hindmarsh, West Hindmarsh and Flinders Park.

By contrast, in 25 years as a member of Parliament representing airport suburbs, the member for Peake has never failed the people he represents. He was rewarded at the last State election for his steadfastness with his best ever majority, which now requires the Labor Party to obtain a swing of five percentage points to win the member for Peake's seat. The member for Peake is part of a record Liberal majority in the Parliament. He is one of 36 Liberal members in a House of 47 members. The bad news for local people is that the member for Peake has never been promoted to ministerial rank by the Liberal Party in his 25 years as a Party stalwart, whereas the Liberal who wants to lift the airport curfew is now the Premier.

The worst news for the local people is that the member for Peake is to retire at the next election and his Liberal Party replacement is a Party man—obedient to Government policy in all respects. We shall wait in vain for the Liberal candidate for Peake to stand up to the Liberal Government on the airport curfew, the brothels zoning proposal, the redirection of heavy vehicles to South Road, let alone the Liberal Government's closure of Barton Road. As the Labor candidate for Peake, Mr Tom Koutsantonis, wrote recently:

And do you know what the worst thing is? The curfew as it stands is based on nothing more than a handshake—it's an informal agreement. It could be changed at any time without even consulting locals.

Mr Koutsantonis has called for the curfew to be made law, that is, to be included in regulations under the Air Navigation Act. It is not as if Mr Koutsantonis's idea can be rejected by Liberal members because it is radical or original. Both Sydney airport and Essendon airport have curfews of the same duration as that in Adelaide. Sydney airport is the busiest in Australia, whereas Essendon airport for a generation now has been Melbourne's second airport. Sydney airport's curfew has been in regulations for years and in 1995 both the Commonwealth Minister for Transport, the Hon. Laurie Brereton, and the Leader of the Federal Parliamentary Liberal Party, the Hon. John Howard, moved Bills to put the Sydney airport curfew in the principal Act. The Government's Bill was carried and is now law. Airlines suffer fines of up to \$100 000 if they breach the curfew. If it is good enough for Sydney, why not Adelaide? Just last year as Leader of the Opposition, the Prime Minister, the Hon. John

Howard, in debate on the Sydney Airport Curfew Air Navigation Amendment Bill 1995, said:

[The Government] should join me in supporting two measures—one of which is the entrenchment into law of the curfew. If the Government were prepared to do that, it would become the law of Australia tonight. The legislation could go through both Houses of Parliament this afternoon. It is open to the Government to do that.

The then Federal Labor Government joined the then Federal Liberal Opposition to pass such a law and it remains on the Commonwealth Statute Book. Mr Howard went on to say:

The people of my electorate, and the member for Lowe's electorate, do not need the Morris committee to tell them whether or not it is a good idea to entrench the curfew in law. They know it is a good idea. They demand it as minimal compensation and minimal protection.

The Prime Minister added:

Immediately upon the election of a Coalition Government, we will take steps to entrench into law the existing curfew arrangements.

As it turned out, Mr Howard did not need to do this, because the Federal Labor Government joined him in supporting such a law. Everything Mr Howard said about aircraft noise in suburbs in his own electorate, such as Hunters Hill and North Ryde, applies with equal force to Brooklyn Park and Cowandilla.

Readers of the *Weekly Times Messenger* will know that the Federal Liberal member for Hindmarsh, Mrs Christine Gallus, has drafted a Bill to put the Adelaide Airport curfew into Federal law, and I thank her for that. I understand that her Bill is currently with the Department for Transport for review. I shall follow the progress of Mrs Gallus's Bill with interest because, among other reasons, it is based on the same principles as the Prime Minister's Bill and, as I said earlier, the curfew at Adelaide Airport is one of only three airport curfews in the country.

Noise at Adelaide Airport will get worse before it gets better. The member for Hanson trumpets in his latest newsletter the extension of the airport runway across Tapleys Hill Road. The extension will enable Adelaide Airport to take bigger and louder jets from mid-1998. Residents of the airport suburbs should batten down, justly fearful that the same State Liberal Party that supported the extension of the runway, for what it believes to be compelling trade and tourism reasons, is about to take away the nightly respite that the curfew gives them.

It is plain that in balancing the interests of communities affected by airport noise on the one side and the operational requirements of Adelaide Airport on the other side, Labor's Mr Tom Koutsantonis and the member for Peake come down on the side of their local communities, whereas the Premier and his disciple, the Liberal candidate for Peake, Mr Graham Parry, come down on the side of the operational requirements of the Federal Airports Corporation. The Olsen Liberal Government can, of course, prove me wrong. Its 36 members in the House can vote for this motion and the Cabinet can get behind Mrs Gallus's Bill in the Federal Parliament and do what it can to make sure it is passed. The people of Brooklyn Park, Lockleys, Cowandilla, Underdale, Torrensville, Thebarton and Mile End will be watching. They cannot be fooled.

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

## MULTICULTURALISM AND ABORIGINAL RECONCILIATION

Adjourned debate on motion of Mr De Laine:

That this House calls on the Premier to support multiculturalism and Aboriginal reconciliation by—

- (a) intervening in the Government's decision to close The Parks High School;
- (b) visiting the school to see at first hand how it operates; and
- (c) entering into meaningful discussions with the school community on options they have developed for the school's future,

and to assist in the retention of this excellent multicultural school for the benefit of the multicultural and Aboriginal population of The Parks area.

(Continued from 14 November. Page 573.)

**Mr De LAINE (Price):** My speech last week was aimed primarily at the former Premier (Hon. Dean Brown), so I have to somewhat alter my comments and, as I will run out of time again today, I hope that the Hon. John Olsen is still the Premier next week so that I do not have to alter it again. Over the past months many invitations and requests have been made to the former Premier (Hon. Dean Brown) to at least visit the school and talk with representatives of the school community, but he steadfastly refuses to accept the invitations. I now renew that call for the new Premier to accept the invitation to visit the school and speak to the school community in this regard. I am appalled at the Government's decision to close The Parks High School because the school, and indeed the whole Parks Community Centre, is a living, working hub of multiculturalism in our State and a real focus for very many ethnic and Aboriginal families in the western suburbs and particularly in The Parks area.

Even the pro Liberal paper, the *Advertiser*, cannot stomach the closure of The Parks High School. On four occasions now the *Advertiser* has slated the Minister and the Government in its editorials over the closure of this unique school. The first occasion was on 2 April this year with the caption 'Must Parks High School die?' A second editorial appeared on 8 May this year headed 'Our Parks and lost opportunities', and then again on 27 May this year when it was headed 'We say it again: Save The Parks'. I refer to the most recent editorial in the *Advertiser* of 25 September this year. In part it states:

The Education Minister, Mr Lucas, presumably with the support of State Cabinet, is being as stubborn as a mule over the future of The Parks. We put it to him again that there are times in life, and especially in politics, when the best course is to invoke that extremely useful phrase 'second thoughts are often wiser thoughts'. It is an observation we also direct to the Premier in the hope that he will seek to persuade his colleague before it's too late.

There is no such thing as absolute equality of opportunity in today's Australia. But there is such a thing as belief in the concept of a fair go. The existence of The Parks Education Action Group and the broad nature of its membership is proof of the width and depth of local feeling. The students and parents at The Parks High School are entitled to something better than the brusque treatment they have received to date... There is, too, the not inconsiderable thought that governments are elected to govern for the general good and to be more than axe wielding accountants.

The students enrolled at The Parks High School include mainstream students, adult re-entry students, non-English speaking background students and other small groups of special and disadvantaged students. Overall, there are 500 students currently attending the school which includes 378 full-time equivalent students. The non-English speaking background students numbers are quite high, being 35 per

cent of the student population. I repeat that 35 per cent of the students are from a non-English speaking background.

I also add that two other major schools to be closed by this Government are the Marion High School and the Sturt Street Primary School. These two schools also have substantial new arrival programs for non-English speaking background students. It is an absolute disgrace that these three schools are to be closed by this uncaring Government, and in doing so hitting hard not only working-class people but ethnic and Aboriginal families of our State. To make the situation even worse and the act even more hypocritical is the fact that the former Premier stood idly by to allow the closures to occur when he was also the Minister for Multicultural and Ethnic Affairs. Obviously, these closures are supported by the Minister for Aboriginal Affairs. It is absolutely disgraceful and hypocritical.

The 35 per cent non-English speaking background component of The Parks High School is made up of students from Iraq, Bosnia, Vietnam, Malaysia, Thailand, Malta, Poland, the Philippines, Russia, Spain, El Salvador, Fiji, Nicaragua, Cambodia, Italy, Portugal, India, Ethiopia and China. Added to these are children from Ireland, New Zealand and England. In all, there are 38 nationalities, including white Australian and Aboriginal Australians living in The Parks area. To put the ethnic and Aboriginal population of The Parks area into some sort of context, I provide the following information. Residents in the Adelaide metropolitan area generally who were born in an English speaking country total 85 per cent. Residents of The Parks area who were born in an English speaking country total only 65 per cent—a big difference of 20 per cent. The largest ethnic group in The Parks area was born in Vietnam. People born in Vietnam constitute 15 per cent of the total population of the Parks area, compared to only 1 per cent of the total population of the metropolitan area born in Vietnam. The Parks also has a higher proportion of people born in a European country than is the case in the metropolitan area generally—11 per cent compared to 8 per cent.

Aboriginal and Torres Strait Islanders constitute 1.4 per cent of the total population of The Parks area, which is twice the proportion in the general Adelaide metropolitan area. This gives a small snapshot of the multicultural and Aboriginal content of The Parks area and it is a further indication of the hypocritical and discriminatory act by this Liberal Government in closing The Parks High School. I have copies of several letters from Vietnamese groups deploring the closure and asking the Premier and the Government to reconsider and seeking the support of the Opposition to oppose the closure.

The Parks High School has a long history of recognising the importance of multiculturalism and, in that regard, two innovations were introduced back in the early 1980s. One initiative was the pilot of a new arrivals integration program and the other was the development of a range of teaching methodologies which promoted supporting and respecting different ethnic and cultural groups including disabled people.

I have a copy of a letter written by Mr Gordon Phillis, Chairman of The Parks High School Council, to the Chairman of the Multicultural and Ethnic Affairs Commission, Mr Taliangis, seeking support for the retention of The Parks High School as a very important multicultural education facility. In part, the letter says:

I am writing on behalf of The Parks High School Council requesting that the Multicultural and Ethnic Affairs Commission make representations to the Premier of South Australia, the Hon.

Dean Brown, to review his Government's decision to close The Parks High School. We are making this request as we believe the decision will significantly disadvantage large numbers of people from non-English speaking backgrounds, and destroy principles of multiculturalism.

The Parks High School provides for many ethnic communities, especially Asian communities. Thirty-five per cent of the school's population come from various non-English speaking backgrounds, mainly Vietnam, with a lesser number of Khmer and Chinese speakers. The site also provides for a Chinese Ethnic School. In recognition that the school serves, and is composed of, different cultures, we have developed a range of structures and programs:

- the appointment of a counsellor (at coordinator level) to specifically support the learning needs of non-English speaking background students
- the allocation of a part-time Asian community liaison teacher
- the appointment of a bilingual school services officer
- the establishment of an Asian parents group to specifically provide for input from and consultation with Asian parents
- the establishment of a student council which specifically represents non-English speaking background students
- a range of ESL programs in years 8-12, and ESL support in general subjects
- the teaching of an intensive English course for adults returning to, or accessing secondary education
- the teaching of a SACE Stage 1 course in bilingual competencies
- the teaching of Vietnamese as the school's language other than English; including Accelerated Vietnamese at SACE Stage 1 for non-Vietnamese speakers (we are the only school that offers this course)
- the provision of school information (such as newsletters, information pamphlets) in translation
- the existence of clear anti-racism procedures for staff and students.

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

#### LIBERAL PARTY LEADERSHIP

**The Hon. J.W. OLSEN (Premier):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.W. OLSEN:** I advise the House that, following a meeting last night of the parliamentary Liberal Party of South Australia, a number of changes have occurred within the leadership of the Party. This morning the Premier and Minister for Multicultural and Ethnic Affairs tendered his resignation to His Excellency the Governor. In addition, the Treasurer tendered his resignation as Deputy Premier. Following these changes I have been commissioned by His Excellency the Governor as Premier of South Australia and as Minister for Multicultural and Ethnic Affairs. These are in addition to the other portfolios that I currently hold. In addition, the Minister for Tourism, Minister for Industrial Affairs, and Minister for Recreation, Sport and Racing has been commissioned as Deputy Premier.

I wish to place on record my appreciation to the former Premier and Deputy Premier for their commitment to South Australia over the past three years. They have served the State with endeavour, with integrity, with commitment and with pride. They deserve the thanks of this House, and I offer my sincere thanks to them for efforts expended on behalf of South Australia.

### QUESTION TIME

#### MINISTERS' LOYALTY

**The Hon. M.D. RANN (Leader of the Opposition):** Will the new Premier expect and demand a greater level of loyalty

from his Ministers than he has ever given the former Premier during the past three years?

**The Hon. J.W. OLSEN:** I have no doubt that the ministry will join with me in tackling the real task in South Australia; that is, rejuvenating the economy of this State, left bereft after a decade or more of the previous Labor administration's leaving us with a \$3.5 billion debt to pick up. The stabilisation of that debt and debt reduction is the right strategy, which will continue in the future. The economy of this State is clearly patchy; there is no doubt about that. This State needs to improve, reinvigorate and rejuvenate the economy of South Australia. Much has been done, but much more needs to be done in rejuvenating, rebuilding and refocusing the economy. I have no doubt that not only the ministry but the whole parliamentary Liberal Party will be supporting that. I hope that the Opposition will focus on the real task of this State, that is, building economic prospects for South Australia.

#### SUCCESS FACTOR

**Mr EVANS (Davenport):** My question is directed to the Premier. An assistance program called the Success—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr EVANS:** An assistance program called the Success Factor has been running in the Adelaide Hills and northern Adelaide regions for several months and has helped many small businesses embark on developing business plans with greater confidence. Will the Premier tell the House about this program, its expansion and other measures that are being introduced to assist small business?

**The Hon. J.W. OLSEN:** Small business is clearly the engine room of the economy of South Australia, a key component of the economy of this State. With 63 000 small businesses in this State—

*Members interjecting:*

**The SPEAKER:** Order! I do not want to hear any more interjections.

*Mr Clarke interjecting:*

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

*Members interjecting:*

**The SPEAKER:** Order! The Premier is on his feet. There are too many interjections on my left.

**The Hon. J.W. OLSEN:** The Opposition members do not like the initiatives that have been put in place for small business in South Australia. What they do not talk about is the 34 per cent reduction in electricity tariffs for small business operators in this State. They want to ignore the reality of this Government's policies of reducing the costs of operating a business. Greater retained earnings for those small businesses, such as electricity tariff reductions, mean greater profitability and the capacity to put in place new plant and equipment, which means the capacity to employ more South Australians in the future. Clearly, that will be the focus of this Government in continuing to build on those strategy initiatives.

The Success Factor program that has been working as a pilot scheme in two regional development boards, the northern Adelaide board and the Adelaide Hills board, is something that we will introduce throughout metropolitan Adelaide. Those business opportunities and the Success Factor are creating the opportunity for them to be more profitable. If they are more profitable, there will be a greater

rate of survival, a greater capacity to put in plant and equipment and a greater capacity to employ more in the future. That program, plus a number of initiatives, will be part of a small business statement that I look forward to releasing in about two weeks.

### MINISTERS' PERFORMANCE

**The Hon. M.D. RANN (Leader of the Opposition):** Does the Premier have full and unreserved confidence in the abilities and performance of the Minister for Emergency Services, the Minister for Employment, Training and Further Education and the Minister for the Environment and Natural Resources, or will they be removed at the end of this parliamentary sitting as part of a deal that will see the member for Coles and others elevated to the ministry as a reward for their gross disloyalty?

**The Hon. J.W. OLSEN:** The question is based on a false premise: there are no deals. In the fullness of time this will be clearly demonstrated and we will see who has the last laugh on this. To get to the substance of the question, the fact is that I have not given consideration to the ministry or the portfolio mix, but I can assure members of one thing: it will be on the basis of talent for the task and the job to be undertaken—

*Members interjecting:*

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

**The Hon. J.W. OLSEN:** You can have your day in the sun today.

*Members interjecting:*

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

**The Hon. J.W. OLSEN:** The Cabinet will be given consideration following the conclusion of the parliamentary sittings, which are due to go through to Thursday of next week. It was put to me that the Parliament should be adjourned. I took the view that it should not be adjourned but should continue the sittings until next Thursday, when we are scheduled to get up, because there is important legislation that needs to be processed by the Parliament, that is, legislation important for South Australia. We will continue with those important items of legislation and, following the rise of Parliament, after discussions with my ministerial and parliamentary colleagues, I will give consideration to the composition of the ministry.

### POWERLINES, UNDERGROUNDING

**Mr WADE (Elder):** My question is directed to the Premier.

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Leader has been warned.

**Mr WADE:** Will the Premier tell the House what continuing plans are being made to underground powerlines in areas all over this State?

**The Hon. J.W. OLSEN:** With the Powerline Environment Committee acting on behalf of the Government undergrounding powerlines in South Australia, we have a greater proportion of powerlines undergrounded than any other State in Australia, and we will maintain that pre-eminent position in Australia in the future. The Powerline Environment Committee with matching funding from ETSA, which has now been set as a percentage of revenue from the Electricity Trust of South Australia, will be maintained in the

future. Of course, in relation to the Optus-Telstra cable rollout we have given a clear and specific commitment to councils throughout South Australia that any net funds received as a result of the rollout of cable will be dedicated solely to the undergrounding of powerlines, which will almost double the available funds for undergrounding, and which should accelerate that program.

**Mr Clarke:** In Kilburn?

**The Hon. J.W. OLSEN:** No, Norwood Parade, for example, will have some undergrounding, as will Henley Beach and Burbridge Roads, the Thebarton Police Barracks, and Railway Terrace, Mount Gambier. As has been the case in the past, we will continue that program of undergrounding power lines for the purposes of creating an amenable visual environment within the metropolitan and tourism country areas of South Australia.

### WATER OUTSOURCING

**The Hon. M.D. RANN (Leader of the Opposition):** My question is directed to the Premier for privatisation.

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

**The Hon. M.D. RANN:** He said that he was retaining the former portfolio, Mr Speaker.

**The SPEAKER:** Order! The Leader knows how to ask a question.

**The Hon. M.D. RANN:** Given the Premier's media statement a short time ago—

*Members interjecting:*

**The SPEAKER:** Order! The Leader of the Opposition.

**The Hon. M.D. RANN:** Even some of the traitors are starting to turn on you. Given the Premier's media statement today, will the Premier, in order to clear the desks and be frank with both the Parliament and the people, release the water outsourcing contract and all the taxpayer funded opinion polls which in his words show the contract to be so popular, even though South Australians are now paying more for their water?

**The Hon. J.W. OLSEN:** As the Opposition Leader knows, we have come to an arrangement and agreement with the Opposition in terms of a summary—

**The Hon. M.D. Rann:** We still have not seen it.

**The Hon. J.W. OLSEN:** You will get it—have no fear. I give an absolute commitment that if you want a summary of that contract it will be available and delivered to you. It will show that South Australians are the beneficiaries. What the Leader of the Opposition has to answer—but he continues to avoid doing so—is the question of what he will do to replace the \$33 000 a day saving—

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

**The SPEAKER:** Order!

**The Hon. J.W. OLSEN:** —as a result of that contract: \$33 000 a day, every day, locked in for 15 years—funds that can be used for a whole range of services, including education, health and law and order services—\$164 million worth of savings. What will the Leader of the Opposition do? How will he explain to the taxpayers of South Australia how he will replace those savings if he is going to cancel the contract? He remains silent on that fact. He is not prepared to indicate what he will do. Is he going to put a tax on education services in some form or a tax on entertainment services?

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

**The SPEAKER:** Order! The Leader has had more than a fair go. He has been ably assisted by one or two others. I

would not like the Deputy Leader of the Opposition to have to buy a new dress.

**The Hon. J.W. OLSEN:** This contract has locked in savings for South Australia in the cost of providing a service. Not only are South Australians in 67 benchmarks getting a better service, not only are consumers being better looked after than they have been before, not only are they getting it at \$33 000 a day more cheaply than previously provided, but locked in with separate unconditional whole of life guarantees is economic activity.

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

**The Hon. J.W. OLSEN:** I will tell you who believes me: the companies in South Australia that have received \$31 million in export orders from this company. That is who will believe us. What about the people who are being employed as a result of the fulfilling of those export orders? Those people will believe this contract.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. OLSEN:** The Leader of the Opposition can go around bleating, as he does constantly, that this is privatisation. As I have pointed out to the House, it is not. He only needs to look at the dictionary, because privatisation equals selling. We have not sold any of the assets—not one of the assets. We still control and own the assets and still relate it to the price setting mechanisms. That is what the Opposition Leader seeks to ignore—the good points he cannot put up. The member for Hart just cannot bring himself to acknowledge these good points in the contract. The Leader of the Opposition leaves the deception there.

**The Hon. M.D. Rann:** A concrete commitment.

**The SPEAKER:** Order! The Leader is warned for the second time.

**The Hon. J.W. OLSEN:** The summary will show the Leader of the Opposition that locked in are real, long-term tangible benefits for South Australia and building a new industry in this State to take account of the enormous challenges and opportunities in Asia. That is what we are seeking to do, ahead of every other State of Australia; positioning South Australia to capitalise on a market opportunity and potential that no other State has had the fortitude to do. We are ahead of the pack in that area and will get ahead of the pack in many other areas as well.

## CONVENTIONS

**Mr CONDOUS (Colton):** Will the Minister for Tourism tell the House how Adelaide is performing in the competitive national and international convention market? What is the value of this sector to the State and what are some of the major conventions already booked for 1997?

*Mr Clarke interjecting:*

**The SPEAKER:** Order!

**The Hon. G.A. INGERSON:** You can talk about slaughter. What did you do about the bloke alongside you? You can talk about slaughter—what did you do about your mate there? What about the fellows behind you?

**The SPEAKER:** Order! The Deputy Premier will resume his seat.

*Mr Clarke interjecting:*

**The SPEAKER:** Order! I warn the Deputy Leader for a third time. Members do not want to test the patience of the Chair. It is an interesting day, to put it mildly. However, I expect members to conduct themselves in a reasonable manner. The Chair does not want to have to take difficult

decisions but it will, and I suggest that the Minister not encourage interjections.

**The Hon. G.A. INGERSON:** One of the things that fascinates me about the Deputy Leader of the Opposition is that he continues to knock the best industry opportunity we have in South Australia. I notice that the Leader is not knocking it, because he knows full well the value of tourism to South Australia. One of the organisations with which we need to work and which we need to strengthen is the Adelaide Convention and Tourism Authority, which continues to provide for this State some magnificent results in terms of convention business: some 17 per cent share of the national convention market. What body in any industry can say that it has a 17 per cent share of the convention business and continues to have it? We have 12.5 per cent of the national market. In this convention business area, tourism is really doing very well. This percentage equates to an \$11 million boost to the South Australian economy, with \$235 million of economic value coming into our State annually through conventions.

The convention business brings into South Australia nearly 10 000 conventions a year, both regional and metropolitan. The big plus of the convention business is that it takes all the people who visit out into the regions: it is not only Adelaide based. So, it is an important activity. Some 550 000 delegates attended conventions in South Australia. Next year four superb conventions are coming to the State due to the excellent work of AFTA. Those conventions include the International Esperanto Conference, with some 1 500 delegates coming to Adelaide; and the Fourteenth Convention of the International Association for Suicide Prevention, with some 1 200 delegates.

The biggest convention, in terms of the Asian retail business, involves 2000 delegates. It is the biggest retail convention to come to Australia and will be held in South Australia. Finally, the Sixteenth Congress of the International Association of Gerontology, with 2 500 delegates, will be held here. Tourism, through the convention business, is something of which we should all be proud, and in terms of tourism development we should be working with organisations like AFTA through the Tourism Commission to ensure that business continues to come to South Australia.

## LIBERAL PARTY LEADERSHIP

**The Hon. M.D. RANN (Leader of the Opposition):** Does the Treasurer have full and unreserved confidence in the professionalism, intelligence, integrity and ethics of the new Deputy Premier and Premier?

*Members interjecting:*

**The SPEAKER:** Order! The House will come to order or we will proceed to the grievance debate. The question is out of order: it does not relate to the Treasurer's portfolio.

**The Hon. M.D. RANN:** I rise on a point of order, Mr Speaker. If a Treasurer or any Minister has to serve in a ministry—

*Members interjecting:*

**The SPEAKER:** Order! The Chair has been particularly tolerant. I hope that this is not an attempt to provoke the Chair, or that members want to get themselves on television or be named. It appears to the Chair that that is the course that is being followed. The question was ruled out of order.

### REGIONAL RECREATIONAL FACILITIES

**Mr VENNING (Custance):** Can the Minister for Recreation, Sport and Racing inform the House what steps the State Government is taking to assist the development of sport and recreational facilities in regional South Australia?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.A. INGERSON:** An amount of \$900 000 will be spent in the development of regional facilities in the sport and recreation area this year. Earlier I talked about tourism: the next most important issue in terms of regional education and development is in the recreation and sport area. To be able to put \$900 000—nearly \$1 million—into the regions is a very important fillip for those regions. The fund has been set up to assist local government authorities and non-profit making recreational and sporting bodies, and it is money that, when added to the recreation and sport fund which comes from poker machines in this State—

*Mr Clarke interjecting:*

**The SPEAKER:** Order! The Deputy Leader will be off the list for the rest of the day if he continues.

**The Hon. G.A. INGERSON:** I am fascinated that the Deputy Leader is not interested in regional South Australia. I hear that he goes to Whyalla and Port Augusta in the Iron Triangle: why does he not go to other regions and look at the need and support for recreation and sport facilities in these areas? One important change will be the increase from the \$40 000 limit to a \$150 000 limit. That will ensure that we have the ability to put bigger and better facilities into regional areas. Until now there has been a restriction in the size of the development that can occur, and now that there has been an increase in the limit to \$150 000 major developments such as swimming pools and indoor centres will be able to be supported and sponsored by this Government as we develop this program during the rest of the year.

### LIBERAL PARTY LEADERSHIP

**The Hon. M.D. RANN (Leader of the Opposition):** Did the Premier, as Minister for Infrastructure, meet with the member for Coles in July this year when she discussed her plans for the removal of the Treasurer as Deputy Premier four months before the so-called 'bad' poll in the *Advertiser*?

**The SPEAKER:** Order! The Premier does not have responsibility for that matter. However, if he wishes he may answer the question.

**The Hon. J.W. OLSEN:** I thought an appropriate line of questioning from the Opposition today, given that the Centre for Economic Studies has just released a major economic report into the future direction of South Australia, was for it to raise questions in this Parliament about policies and strategies for the future of this State. The Leader says that he listens to the community, but he is obviously listening to the wrong people. What the people of South Australia are concerned about is job security, job tenure, job certainty and job prospects. That is what South Australians are keen and interested in.

Today the Leader of the Opposition, on the basis of the release of the Centre for Economic Studies report, should have started targeting the future economic direction of South Australia. But, no, what is the Leader interested in—petty politics! What the Government is interested in is looking at the key industry sectors that will be important to South

Australia in the future.

That is why, today at lunchtime, I had a meeting with the Deputy Prime Minister, Tim Fischer, and a number of key industry leaders in South Australia. The purpose of that meeting was to start focusing on policy directions for the future and, importantly, to put to the Deputy Prime Minister the post-2000 industry assistance package. We put a submission to the Productivity Commission on behalf of South Australia as to where we think tariff levels and other industry packages ought to be beyond the year 2000 to ensure the protection and sustainability of the manufacturing industry in this State. That is what we are on about. They are the important issues for this State. I ask the Leader of the Opposition—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. OLSEN:** —to concentrate on the important issues of the future vision, strategy, jobs and interests of South Australians.

### MENTAL HEALTH

**Mr ROSSI (Lee):** Can the Minister for Health say whether the Government proposes to upgrade acute mental health facilities in the north-west so as to assist that area to provide effective support to community-based mental health care?

**The Hon. M.H. ARMITAGE:** I thank the member for Lee for his very important question about a matter which goes to the heart of a civilised society and the way it treats people with mental illnesses. I contend that between this Government and the Opposition there is a distinct difference in strategy. As the member for Lee recognises, reform of the mental health system as we approach the twenty-first century involves a move of care into the community with appropriate supports. It was the appropriate supports that the previous Government completely failed to provide—

*Mr Atkinson interjecting:*

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

**The Hon. M.H. ARMITAGE:** —despite taking the benefit of the milch cow, of closing Hillcrest Hospital, and not providing one extra service in the community with the money that that freed up. That was an abrogation of the previous Government's responsibility to people with a mental illness, and it is something which this Government has addressed.

There are two aspects to moving care towards the community. The first is that acute beds are moving from specialist psychiatric hospitals into general hospitals close to where people with a psychiatric and mental illness live and, very importantly, where their support services are—in other words, where their family and friends are. Secondly, non-acute support is being provided in the community rather than in hospitals. It is important to stress that the number of acute care mental health beds has been increased by this Government and, in addition, much needed support is now being provided in the community.

Only a week or so ago I announced the ASIS launch in South Australia. The Government is committed to upgrading acute mental health facilities in South Australia's hospitals and providing them closer to where people live and where their support services are. In relation to this reorientation, we have opened a 20-bed facility at the Lyell McEwin Health Service; we have opened a 20-bed facility at Noarlunga

Hospital; and today—and I know the member for Lee and various other members will be delighted—it is my pleasure to announce that construction of a \$6.2 million psychiatric unit at the Queen Elizabeth Hospital has been approved by Cabinet and construction will start next month. This new unit will contain 40 acute and emergency care beds and will provide emergency psychiatric care for people with mental illness. It will deliver a range of world class acute psychiatric services in a non-asylum, safe, domestic-type construction, and it will become known as a centre for compassionate and state-of-the-art acute mental care.

The purpose-built facility will be incorporated into the existing building stock in the south wing of the Queen Elizabeth Hospital, importantly on the ground level. The domestic theme of the facility is emphasised by a number of features. Landscape gardens provide access to the unit; landscape courtyards are within the unit; the colour scheme has been designed to have a domestic air; and there is a selection of home-style furniture. This design heralds an increase and a new sensitivity in the care of people with mental illness. Tenders are to be called in December for the major works and the unit is expected to be completed by September 1997.

People with mental illness, particularly in Adelaide's north-western suburbs, have been waiting for this project since 1988. That is an indictment on the people sitting opposite. Despite all their carping about these sorts of things, they did nothing. The announcement underscores the Government's commitment to develop quality public health services, particularly at the Queen Elizabeth site, and this is the latest in a range of announcements made recently at the Queen Elizabeth Hospital, including a \$610 000 upgrade of the radiology unit.

**The SPEAKER:** Order! No electronic device is permitted in the Chamber and I wish them to be removed forthwith. If they go off again, I will direct the appropriate people to remove them.

**The Hon. M.H. ARMITAGE:** Because of the importance of these announcements, I remind the House of the \$610 000 upgrade of the radiology unit at the Queen Elizabeth Hospital, the purchase of a new CT scanner worth \$750 000, the purchase of endoscopic equipment costing \$285 000, anaesthetic machines and a \$1.55 million revamp of the cardiac catheter and laboratory facility. It is a great announcement for the people of the north-western suburbs, and I take the opportunity to recognise the strong support for the QEH of members who have continually raised this matter with me. I particularly recognise the efforts of the members for Lee, Colton, Hanson and Peake.

### STATE ECONOMY

**The Hon. M.D. RANN (Leader of the Opposition):** Does the Premier accept the findings of the latest report of the South Australian Centre for Economic Studies—

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The Hon. M.D. RANN:** Just wait for it.

*Members interjecting:*

**The SPEAKER:** Order! I suggest to members that they contain themselves.

**The Hon. M.D. RANN:** I will start the question again. Does the Premier accept the findings of the latest report of the South Australian Centre for Economic Studies that the South

Australian economy is 'somewhat depressed' and, if so, what new measures, different from those of yesterday's Premier, does he intend to introduce? The latest report by the centre points to falls in retail sales over August and September, a 10 per cent fall in motor vehicle registrations in the six months to September, a 15 per cent fall in new private capital expenditure in 1995-96, and new housing approvals at half their level of that of 1994. At the press conference held this morning, the centre's Deputy Director told journalists:

It doesn't seem as if the new Premier has a bunch of new policies in his briefcase.

The Premier has just told the House that we should be focusing on job security, job tenure and job prospects, but all he has ever done is focus on his.

*Members interjecting:*

**The SPEAKER:** Order! The last part of the question is out of order as comment.

**The Hon. J.W. OLSEN:** I am glad that the Leader has finally found the Centre for Economic Studies' report and its importance to South Australia. The report identifies that there is patchy economic recovery in South Australia. I have said consistently in this House and over the past 12 months publicly that there are some sectors of the economy that are performing well and other sectors of the economy that are not. In particular, small business is doing it hard in the community at the moment, and there are areas where economic activity has got to be improved. The focus of this Government has been—within the constraints of debt management and reduction—to reduce the costs of small business. Why else would you allow the Electricity Trust to forfeit in revenue and flow through to the Treasury, up to 34 per cent in power costs—tens of millions of dollars left back in small business—for the purpose of retained earnings within those small businesses? That has been the strategy over the past few years.

*Mr Clarke interjecting:*

**The Hon. J.W. OLSEN:** The Deputy Leader obviously was not listening to my answer three or four questions ago when I said that, in the course of the next two or three weeks, I will be making a statement relating to small business, in particular, in South Australia. I will repeat it again and slowly.

*Mr Clarke interjecting:*

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

**The Hon. J.W. OLSEN:** We are also going to look at strategic industry sectors for growth and have a policy put under each of those industry sectors. Let me name them: the food industry, the automotive industry, the defence and advanced electronics industry, the water industry and the health industry. They are industry sectors for which we are to develop specific strategic policies. I have reported and explained to the House over a considerable time and at considerable length the strategy in relation to the water industry contract, to get an export market to create for 200 small to medium businesses in this State export market opportunity and potential. In addition and underpinning that, we have just undertaken a road show in Brisbane, Canberra and Sydney: some 200 companies were present on the basis of investing in South Australia to link into the opportunities of exports from this State.

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

**The Hon. J.W. OLSEN:** It is not hype. Those companies that have actually received \$31 million worth of export orders

that they would not have received last year or without this contract are building export and job opportunities in this State. What we are going to do is in the automotive industry and, as I said, the defence and advanced electronics industry. It is not generally understood that the defence and advanced electronics industry employs some 20 000 South Australians and contributes almost 4 per cent to gross State product. On the basis of the critical mass that we have in this State, it has the capacity to grow and expand. The Commonwealth Government will be expending \$5 billion plus in the course of the next 10 to 15 years on defence procurement and 40 per cent of that comes to South Australia now. We are intent not only on getting 40 per cent of the \$5 billion but on growing that 40 per cent.

To do that, we have to have in South Australia a critical mass and a technology base—both European and American—to complement the activities and opportunities. We are going to develop a strategic plan, industry support and incentives to bring further defence and electronics industries to South Australia, to build up on that critical mass. That is how, industry sector by industry sector, we will build the economy of South Australia. There is no quick fix or overnight fix, but we are intent on having a plan over the next five years.

*Mr Clarke interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. OLSEN:** The plan that has been in place in this State for three years has been important in terms of fixing up the problem that you left in this State.

*Members interjecting:*

**The SPEAKER:** Order!

*Mrs Kotz interjecting:*

**The SPEAKER:** The member for Newland is out of order, too. It is particularly difficult for the Chair when members take it upon themselves to continue talking when the Chair is on his feet.

#### INVESTMENT OPPORTUNITIES

**Mr ANDREW (Chaffey):** Today the Federal Minister for Trade visited Adelaide to discuss future trade and business opportunities. Where does the Premier envisage major investment opportunities arising here in South Australia during the next 12 months?

**The Hon. J.W. OLSEN:** I had much pleasure in pointing out to the Deputy Prime Minister and Minister for Trade that South Australia has been a positive contributor to the balance of payments in this country for some considerable time and, with growth in the ETMs and the manufacturing industry in South Australia, we will continue to do so. I refer to the investments that have been put in place by Mitsubishi and General Motors-Holden's—the second production line for the Vectra has clearly been locked in. Provided industry policy is targeted and there is predictability and certainty, those sorts of investments in South Australia will continue.

We have had discussions with Lear and further discussions with Johnson Controls in terms of expanding the automotive manufacturing industry in South Australia, given the critical mass. Of importance to that investment will be certainty post the year 2000 of industry support and incentive packages for investment. That was certainly put to the Deputy Prime Minister today. In addition, there has been some criticism that, at the moment, there is an industry policy free zone in some sectors of the Australian economy. There needs to be a focus at Federal level on an industry policy which is proactive and supports the manufacturing industry and

employment levels in this State. The Deputy Prime Minister certainly took on that point. I have mentioned in previous answers to questions about the food, automotive, defence and electronics industries that they are key industry sectors which we think have good prospects for South Australia over the next five to 10 years, and I have referred to the strategies that we will put in place during the next five to 10 years to probe those industry sectors.

#### EMERGENCY SERVICES MINISTER

**The Hon. M.D. RANN (Leader of the Opposition):** Has the Minister for Emergency Services been informed by the new Premier that he will no longer be part of the Cabinet after the end of this sitting of Parliament?

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** It is a legitimate question. Is the Minister—

**The SPEAKER:** Order! The Leader has had plenty of practice as both the Leader of the Opposition and a former Minister to know that that question is out of order.

#### COFFIN BAY NATIONAL PARK

**Mrs PENFOLD (Flinders):** Will the Minister for the Environment and Natural Resources provide details of any plans to upgrade roads in the Coffin Bay National Park? Recent reports show that the Coffin Bay National Park has been the site of a number of car roll overs, near misses and collisions. Following the recent announcement of the upgrading of park facilities, I ask whether the Coffin Bay National Park will be included.

**The Hon. D.C. WOTTON:** I not only thank the member for Flinders for her question but I recognise the strong support that she gives to the officers who have the responsibility—

*Mr Clarke interjecting:*

**The Hon. D.C. WOTTON:** You just watch your position.

*Members interjecting:*

**The SPEAKER:** Order! It has become patently clear to the Chair that certain members would like to have an early minute. The Deputy Leader has now been taken off the list for the Grievance Debate.

**The Hon. D.C. WOTTON:** I recognise the strong support that the member for Flinders has given to the officers who have the responsibility for managing some of the best parks that we have in South Australia. I refer particularly to the Lincoln National Park. I have had the opportunity to spend some time looking at that park and the Coffin Bay National Park with the member for Flinders. I agree with the honourable member that a very dangerous situation has arisen in that park. There have been a number of accidents and roll overs because of the poor condition of the road in that very significant South Australian park.

Before I refer specifically to the Coffin Bay National Park, I remind members of the importance in this State of national parks and reserves which, at present, contribute more than \$500 million to the State's economy—I do not think that is often recognised—because of their tourism potential and the enjoyment that they provide for many people in this State as well as visitors. This Government has made a firm commitment to improve the infrastructure of our parks. In this current financial year, there will be capital expenditure of about \$11.8 million. That is one of the highest capital expenditures on record for work in protected areas. Many



other areas are receiving benefit, including the Mount Lofty summit, an international icon that will be open for business in a matter of weeks.

*An honourable member interjecting:*

**The Hon. D.C. WOTTON:** Yes, it will have a very good view. There are also Seal Bay and Remarkable Rocks on Kangaroo Island where significant development has taken place. They are now very much leading tourist attractions. I point out also that the National Parks and Wildlife Service is the largest employer on Kangaroo Island because of the interest that people show in those very special areas. Of course, there is also the world heritage listed Naracoorte Caves, the first area in South Australia to be world heritage listed.

Earlier this month, I announced a \$1.5 million upgrade of roads in the Innes National Park. I was able to hear the contribution by the local member in the House last night regarding work that is being carried out in that national park with the construction of a new road between Stenhouse Bay and Pandalowie Bay, together with a new \$500 000 visitor centre, which will be very welcome. I am particularly happy to be able to inform the member for Flinders that, following strong representation from her, site works have now begun on upgrading the 20 kilometre road from the Coffin Bay National Park entrance to Point AVOID at a cost of \$913 000. This is certainly a long awaited project, one which will help improve visitor experience, road safety and facilities in this popular park in that section of this State.

In addition, the project will also assist the local economy as a considerable labour and materials component is being sourced locally. We have had some difficulties in that area, but I am glad they have been resolved. Work on the project will be completed by the middle of next year. I hope the House will recognise this as a further example of the substantial capital investment that is currently being put into our parks in this State. I have experienced the poor condition of the road, and I am particularly pleased as Minister to announce yet another project which will be of major benefit to our national parks system in South Australia.

#### ADELAIDE CITY COUNCIL

**The Hon. M.D. RANN (Leader of the Opposition):** Will the Premier now instruct his Local Government Minister to withdraw legislation to dismiss the Adelaide City Council and appoint commissioners—legislation which became a leadership test for the former Premier?

**The Hon. J.W. OLSEN:** The Leader knows full well that the conference of the Houses is due to report later today.

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. OLSEN:** The Leader knows full well that the procedure is that the conference of managers will report to the Parliament first. When it has reported, a public statement will be made.

#### PRISONERS, RELEASE

**Mrs KOTZ (Newland):** Will the Minister for Correctional Services provide the House with details of the number of prisoners who have been refused release from prison by the Parole Board as a direct result of this Government's truth in sentencing legislation? Many of my constituents have informed me of their concerns about the former Labor Government's early release prison program. They want to be

assured that the Government has put an end to rapists, murderers, armed robbers, and other violent offenders being released early from prison?

**The Hon. W.A. MATTHEW:** This is an important question for all South Australians. It gives me the opportunity to put firmly on the record in this place that, once and for all—

*Mr Clarke interjecting:*

**The Hon. W.A. MATTHEW:** The member for Ross Smith can listen to this—Labor's early release system is finished, is ended. Picture this: day one when a prisoner enters Yatala. The prisoner has been found guilty by the court, given a prison sentence under a Labor Government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. W.A. MATTHEW:** They will listen to this—and on day one in prison under a Labor Government that prisoner was given a Labor early release card. Labor's early release card was given to the prisoner with a date on it which indicated to the prisoner, 'You will get one-third off the time that the judge said in the court.' They got one-third of the time off—day one in gaol. As the member for Newland said, it is absolutely disgraceful. Through truth in sentencing, that process has been ended.

Now, if a prisoner has been given a sentence of five years or more, they must apply to the Parole Board. Only then, if the board approves, will parole be granted. Also, all prisoners must serve the non-parole period before they get out. What has that meant? In 1992-93 under Labor, 729 prisoners were paroled; in 1993-94, 758; and in 1994-95, after this Government introduced truth in sentencing, the number of prisoners paroled dropped by 20 per cent to 610. Prisoners are now kept behind bars until they serve the sentences that the courts expect them to serve—until they serve the sentences that all South Australians expect. In 1995-96, 674 prisoners were released on parole, still 11 per cent down on the time of the previous Labor Government.

The Parole Board can also refuse prisoners being released on parole. To date, under truth in sentencing, nine prisoners have been told by the Parole Board, 'You are not suitable people to go back on the streets. It matters not that you have served your non-parole period.' It matters not: if they have not demonstrated that they are safer to put back on the streets, the Parole Board does not let them out. That has meant that rapists, armed robbers, murderers and, in this case, a person who was convicted of having sex with a minor have been kept in gaol by the Parole Board beyond the non-parole period.

In the past two years, hundreds of prisoners who would have been let out on the streets by Labor have been kept in gaol by this Government. Yet the Labor Party has the absolute cheek to put out to the electorate its new program for South Australia promising tougher gaol penalties. What a joke! They are here and, under this Government, South Australian streets are becoming safer again.

#### ADELAIDE CITY COUNCIL

**The Hon. M.D. RANN (Leader of the Opposition):** Does the Premier agree with his predecessor that there is corruption and maladministration within Adelaide City Council and that details of tenders lodged with the council are leaked to rival companies? If so, what action does the new Premier intend to take if his legislation is being withdrawn?

**The Hon. J.W. OLSEN:** The Leader of the Opposition is obviously a very slow learner or he does not listen to answers to questions. I have indicated to the Parliament that the procedure in this House and another place is that, when the conference of managers reports as to the deliberations on that legislation, it is then an appropriate time for me to indicate the position of the Government. Notwithstanding all the chiding from the Leader of the Opposition and any number of questions he likes to ask today, he will get exactly the same answer.

### FORESTS, SOUTH-EAST

**The Hon. H. ALLISON (Gordon):** Will the Minister for Primary Industries advise the House what benefits are likely to flow to landholders in the South-East and to the forestry industry generally as a result of the agreement arrived at between Primary Industries SA Forestry Division and a Japanese group of companies headed, I believe, by Nippon Paper Tree Farm Australia, which matter was reported on in the review of forests in the South-East that the Minister released yesterday?

**The Hon. R.G. KERIN:** Yesterday, I announced an innovative deal that will enable Green Triangle landholders to expand into hardwood forestry. The deal is between the State Government and Japanese buyers to secure both markets and prices for the hardwood produced in that region. The agreement between Nippon Paper Tree Farm Australia, Mitsui Plantation Development, MCA Afforestation and Primary Industries SA will contribute greatly to the further development of the blue gum forestry. Very importantly, it gives the landholder access to large companies—something which is difficult for them to achieve on an individual basis.

The Green Triangle tree farm project, as it will be called, will result in millions of trees being planted in the region. The project has been developed, basically, in response to strong interest by landholders, particularly in growing Tasmanian blue gums. Landholders now have an exciting opportunity to establish hardwood plantations in the full knowledge that there are secure markets and prices for the product. This industry also provides the benefit of revegetating our land, including the reduction of soil erosion and salinity damage. The blue gum trees grown under the project will be chipped and exported to Japan for use by one of the largest paper manufacturers, Nippon Paper Industries.

The project aims to establish 1 000 hectares of blue gums annually with a rotation of about 10 to 12 years. This should add significantly to the economy of the region. It is estimated that, after 10 years, 1 000 hectares will return between \$5 million and \$6 million a year and, importantly, it will also create jobs in nursery, management, harvesting and transport. Landholders or investors can enter into grower agreements with the joint venturers of PISA which stipulate that the joint venturers buy the pulpwood from the grower and PISA provides the technical support.

PISA will also promote and manage the project for the joint venturers. Confidence in the blue gum industry should be boosted strongly following this agreement, which will secure Japanese markets and prices for the hardwood produced in the Green Triangle region. This Government initiative facilitates and enables landholders to deal securely with the international market. In stark contrast to past initiatives, such as Scrimber, this agreement offers real benefits to South Australians without subjecting the State to unacceptable risk.

### LIBERAL PARTY LEADERSHIP

**The Hon. M.D. RANN (Leader of the Opposition):** Did the Deputy Premier tell Liberal backbenchers on Sunday night at a dinner for the Secretary General of the Commonwealth Parliamentary Association that there would be no move against Dean Brown as Premier and that he would not be part of any such move that would also involve the sacking of three Ministers?

**The SPEAKER:** Order! The question is out of order. The Minister has no responsibility to the House for private functions or the like.

### MILE END SPORTS STADIUM

**Mr LEGGETT (Hanson):** Will the Minister for Housing, Urban Development and Local Government Relations inform the House about the status of the Government's sports stadium development at the former railway site at Mile End?

**The Hon. E.S. ASHENDEN:** I thank the member for Hanson for his question: he comes from the western suburbs and he, like so many other residents of that area, every time they come across the Hilton Bridges, must notice the work that has occurred in that area. The work is outstanding and very much a leader in the world in some aspects. It is an absolute credit to all involved in the major earthworks that it has progressed so well and the development will proceed on time and as planned. The first stage of the \$30 million development, which involved preparing the site for the construction of an athletics stadium, netball facilities and housing development, has been completed. Part of the preparation included decontamination of more than 8 000 cubic metres of diesel polluted soil. The procedures used are part of a world leading natural remediation process—

*The Hon. D.C. Wotton interjecting:*

**The Hon. E.S. ASHENDEN:** And some excellent work by the EPA, as the Minister interjects. The work has attracted the interest of academics throughout the world who have come to the site to see the process and to see how successfully the work has been undertaken. The soil has been remediated and is now being returned to the site. Of course, that means that there will be a far cheaper and more effective use of resources in that area. The soil clean-up, in fact, is one of the largest bio-remediation projects ever undertaken in Australia or in the world. The decontaminated soil is now being safely reused on the site, as I explained.

It is pleasing to note, as I can assure the member for Hanson, that the whole process has been undertaken in a highly controlled manner and subject to frequent audit. I can confidently stand in the House today and say that the decontamination has proceeded extremely well and very effectively. The construction stage of the development will now be undertaken by the ministry of sport and recreation, and tomorrow I will officially sign over the land to the Minister for him to take control of that development and to put in place a sporting complex that will be outstanding not only for Adelaide but for all of Australia. I look forward very much to the completion of that project.

### EMPLOYMENT, TRAINING AND FURTHER EDUCATION CONFERENCE

**The Hon. M.D. RANN (Leader of the Opposition):** Is the Minister for Employment, Training and Further Education confident that he will be attending next year's—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** Is the Minister confident that he will be attending next year's ministerial council meeting nationally for Ministers of Employment, Training and Further Education, or has he been told by the new Premier that someone else will be going in his place?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R.B. SUCH:** I am more confident of that than the honourable member can be of being Leader.

### TAFE TRAINING RESTAURANT

**Mr CUMMINS (Norwood):** Will the Minister for Employment, Training and Further Education detail a new commercially run restaurant that is believed to be an Australian first, which is offering job training to mildly physically and intellectually disadvantaged South Australians? In my electorate, in Beulah Road, Norwood there was previously a centre for the disabled, teaching cooking and restaurant services, which recently transferred to TAFE Adelaide where there are far better facilities. I had the pleasure yesterday of going through the facilities and inspecting them with the students.

**The Hon. R.B. SUCH:** The honourable member has been a very strong supporter of this initiative to assist young people with mild intellectual or physical disabilities in obtaining training and employment. Yesterday I had the privilege of opening the sixth TAFE training restaurant in the metropolitan area. That is two new training restaurants in the past three months. The special task of this one is to provide real world training for young people with mild disabilities. It is a first for Australia and, appropriately, it is called SIT—Students in Training. It is located in Currie Street and trades on Monday and Tuesday from 10.30 a.m. to 5.30 p.m. and from Wednesday to Friday from 10.30 to 7 p.m.

This facility is a credit to the people of the Adelaide Institute of TAFE and the parents who have supported it; to ETSA and the Gas Company; to the Commonwealth Rehabilitation Service; to Work Right; to Galipo Foods and to others who have been very supportive of giving these young people the opportunity to gain employment. It is run on a commercial basis and is real world training, to give these young people the chance to do what they want to do. As I said, we now have six TAFE training restaurants in the metropolitan area, and we have more in country areas. This is part of a commitment by this Government to provide quality training that leads to employment for all young South Australians, including those with disabilities.

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### GRIEVANCE DEBATE

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

**Mrs ROSENBERG (Kaurna):** I want to put on record the opportunity I had on Sunday, along with the member for Finniss and the member for Mawson, to attend the opening of the Seaford Ecumenical Mission, which was opened in Seaford Rise as part of the Seaford Fun Day. The Seaford Fun Day is an annual event held by the Seaford joint venture developers at Seaford Rise and, as part of the Fun Day this year, included in the activities at the local schools and in the main street square, with community associations and the Seaford Health Centre, was the opening of the Seaford Ecumenical Mission. The Seaford Ecumenical Mission was opened by the Governor-General Sir William Deane. He was a fitting person to open such a facility, because it was a way of recognising the international and national significance this mission has in Australia and in the world.

Indeed, it is the first of its kind to be established in Australia and has been watched quite intently by people from overseas because of the uniqueness of the development. For the first time in Australia five churches have come together under one roof to offer services to the community. Those are the Catholic Church, the Anglican Church, the Lutheran Church, the Uniting Church and the Church of Christ, which have come together to form one ecumenical centre. The unique part of that development is that the other half of the building is a State Government venture through the Noarlunga Health Services as part of an overall service to the community. This project on behalf of the Ecumenical Centre was driven in a very large way by Dr Tom Atherton, who had the vision and the dream that became the reality.

On 1 August 1996 the five groups worshipped together for the first time in the new centre. The Seaford Ecumenical Centre and its connection with the Seaford Health Centre in one building fits the ideals of Seaford. The development had been planned since 1991 to establish facilities within the community before the community and the people were there. Seaford is an example of how that has happened in a very fine way in terms of the schools, the health centre, the shopping centre and the transport services that were all put in place before the people were actually placed there and that need became apparent. The Seaford Ecumenical Centre and Health Centre have been keenly supported by the Seaford Joint Venture, both the board and the chair.

Richard McKay and the Director, Maurie Downer have been very supportive. Through the work of the human services planning team they have supported the venture in a large way by offering comments from the community, undertaking community consultation to make sure that the facilities actually reflect what the community wanted. As I said before, the Ecumenical Centre is actually complemented by the Health Centre, which will offer a full range of health services replacing the Southern Vales Health Centre, which has now relocated to the Seaford area. Recently, with the help of the Minister for Transport, I announced a new bus service that will directly link the Aldinga Beach and Sellicks Beach area to the Seaford Health Centre and also to Noarlunga.

People who do not live within the area that I am talking about would not understand the huge success of such a transport service for our area. I understand that the member for Mawson will shortly be announcing a service that will help the people within his area. I would also like to put on record that I congratulate Rod Cheesman for the urban design characteristics of this building. I understand that it was he who was given the task of designing both the Health Centre and the Ecumenical Centre and who first had the idea to put the two buildings together.

He suggested that to Dr Tom Atherton, who immediately saw that as the best thing to happen in the Seaford area. In the words of Dr Tom Atherton, it indicates that the old has now passed on and the new has actually started. It is very real for the area of Seaford with the five churches coming together in such a way.

**Mr CLARKE (Deputy Leader of the Opposition):** I want to speak today about the events of yesterday. You could not write a novel that is more bizarre than what we saw in the past 24 hours. It has everything in it: treachery and betrayal. Heaven help any Liberal Premier or any Leader of the Liberal Party who gets the undying loyalty of the member for Coles and the now Deputy Premier. Is it not amazing that those two members of the Liberal Party—lifetime friends, colleagues and allies of the former Premier—can give him the Mafia kiss, the kiss goodbye forever, in terms of his political future.

If we look at the cutting down of the Deputy Premier and Treasurer, what do we find? Yes, we in the Labor Party opposed the former Treasurer's policies, as we did the former Premier's policies, but 36 members of the parliamentary Liberal Party agreed with every one of the budgets handed down by the former Premier and former Deputy Premier. They cheered those two politicians on when they announced their budgets. They happily distributed the budget leaflet saying, 'It is a new dawn: we are heading into the home straight.' They got up time and again to support the former Premier and Deputy Premier, saying that the economy of the State was on the right track.

But now when the going gets a little tough—one opinion poll that still showed the Liberal Party comfortably winning the next State election—they go to water. They have no guts and no spine and, frankly, the former Premier is better off without them because at least when he faced us on this side of the House he knew where his political enemies were—unlike the 24 members who stabbed him in the back yesterday. At least we were honest and told him up front that we disagreed with his Government and his policies.

*Mr Brokenshire interjecting:*

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

**Mr CLARKE:** We did not fawn over him and try to get his preferred treatment for three years as Premier and then stab him and the then Deputy Premier in the back. The former Deputy Premier has had to carry all the dirty work for this Government—the dirty work of cutting the health budget, the schools budget, the FACS budget—but all 36 members of the parliamentary Liberal Party supported it. The member for Colton may well laugh, but he betrayed his Premier and Deputy Premier for policies which he supported but did not have the guts to see through to the bitter end, the next election.

The former Deputy Premier had to carry the can for being loyal to the Liberal Prime Minister, Mr Howard, and to his Premier in getting through national gun laws. He had to do that and he gets axed—axed because of 24 cowardly members of the parliamentary Liberal Party who do not have the guts when the going gets tough. God knows how they would have reacted when we were in Government between 1989 and 1993 with a minority Government, a State Bank disaster and an SGIC disaster. This Government was elected with a majority larger than that of any Parliament this side of Singapore and it cannot take the heat from one opinion poll, which was probably manipulated, anyway, by that newspaper to undermine the former Premier. That is the real crux of the

problem—no guts and no spine and not prepared to see things through once they embarked on a course of action.

All 36 members of the Liberal Party are culpable for the damages to the State in terms of its health services, its schools and all the other cut backs. You all endorsed this Premier and cheered him on. You cheered him on every time there was a cut back.

**Mr LEWIS:** On a point of order, Mr Speaker, it is an accepted tradition of this House that it is highly disorderly to use the second person pronoun in a pejorative fashion.

**The SPEAKER:** Order! The Chair has heard enough of the point of order. The honourable member is correct.

**Mr CLARKE:** Thank you, Mr Speaker. You have our support also.

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

**Mr OSWALD (Morphett):** Let us change the subject.

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Foley interjecting:*

*Mr Brokenshire interjecting:*

**The SPEAKER:** Order! I warn both the members for Mawson and Hart. The member for Mawson will be named if he opens his mouth again.

**Mr OSWALD:** I bring to the attention of the House a subject—

*Mr Clarke interjecting:*

**The SPEAKER:** Order!

**Mr OSWALD:** —that is of concern to not only my constituents but also those of other members. I was recently visited by a deputation from the South Australian Council on Intellectual Disability. On that occasion they gave me a letter which they asked me to pass on to members. Because of the length of the letter I will be forced to paraphrase, but I made a commitment to bring it to the attention of the House, because it not only highlights their concerns about the promotion of citizenships, rights and responsibilities of people with intellectual disabilities but also calls for the creation of a separate ministerial portfolio for disability services, and that is a matter for the Government to address. It calls for the provision of funds to help these families who have members with intellectual disabilities. I will be forced to paraphrase it as I have only five minutes to speak. It states:

Dear Mr Oswald,

Over the past decade people with intellectual disability and their families have been promised so much through the Commonwealth Disability Services Act and the State Disability Services Act, anti-discrimination legislation and the stated policies of Governments of all persuasions. However, the realities of many people with intellectual disabilities and their families are at odds with the rhetoric.

In South Australia many people with intellectual disability live in circumstances which, far from promoting citizenship, do not even guarantee safety or a decent lifestyle. There are currently 170 people on Intellectual Disability Services Council's criteria needs list and, unfortunately, this number is growing daily. However, it is important to put a human face to a list of numbers. Just these two examples, which are known to SACOID [the council] give an indication of the human dimensions of the problem.

I refer to a second letter about a resident called 'Mary'. The letter states:

Mary is a woman of 38 years of age with severe and multiple disabilities. She cannot speak, walk, turn herself in bed or even eat with a spoon and is incontinent. Her parents in their late 60s are from a non-English speaking background. Mary spends 24 hours a day, seven days a week, 52 weeks a year in the family home. Her mother washes her sheets after every incident of incontinence, lifts her out

of her bed into a wheelchair and from the wheelchair into the bath—tasks which in service organisations would be a two person lift. Her mother feeds her all her meals, often taking up to 45 minutes. Her father provides no support and indeed still expects his wife to fulfil all the duties consistent with their cultural background.

Mary's brother and sister report that the mother had never had a day's break from caring for Mary and have tried to convince her to accept support. She refused until a year ago, at which time she accepted assistance with morning lifts. A recent back injury, a period of hospitalisation and the possibility of back surgery finally forced her to the view that Mary will need care outside of the family home, although she is convinced that this will be the death of her daughter. A suitable vacancy is proving difficult to find.

The letter goes on:

If there is one factor that makes this story atypical, it is that there are two parents involved. The increasing number of single parent families is alarming—a circumstance that often creates a spiralling poverty trap. However, what is typical is the commitment of families to their sons and daughters with intellectual disability and the view that many are not coping and feel exploited and increasingly desperate. Each of the 170 situations could be written into a similar life drama. Presently IDSC and other agencies are doing their best to respond to crisis. Often faced with no alternatives IDSC workers are taking clients into their own homes or have paid up front for persons to stay overnight in a motel.

The letter goes on:

It is of great concern that presently services for people with disabilities have to compete with hospitals and this is one of the reasons why many families and service agencies would like a separate ministry for disabled services. Such a ministry could use existing administrative resources in the disabilities sector and would not require additional funding.

The letter is signed by the President of the association.

**Mrs PENFOLD (Flinders):** I rise to commend the State and Federal Governments on their initiative in providing programs to skill the unemployed, especially youth, and I deplore the debt incurred by the previous State Government which has meant that funds for such schemes are restricted. I draw the attention of the House to the Axel Stenross Maritime Museum in Port Lincoln, where the combination of voluntary service with job skill programs has lifted the prospects for many youth.

The museum was named after Axel Stenross, who ran a boat building and boat slip business on the site. It is unique, because the slipway is in working order and is used to slip smaller boats, with the income assisting the operation of the museum. In fact, this service generates about half the museum's income. Slipmaster Ivan Biddell is responsible for slipping small boats at all hours of the day and night, depending on tides. Maurice Henderson is the assistant slipmaster. The museum's officers are Jack McQuillan, Tom Hamilton, Tom Bascombe and John Jukes who, along with Bob Dobbins, Tony Marjason, Bernie Williams, Peter Weber and Sam Gaskell, act as guides for visitors.

Axel Stenross was born at Finby, Finland, in 1895 and began life at sea at the age of 12 as a cook in Baltic traders on the Baltic Sea. Later he did a five-year apprenticeship in boat building, the first two in his father's shipyard in Finland. In 1924 he signed aboard the four-masted barque *Olivebank* which was owned by Gustaf Erikson of Mariehamn, Finland. When the *Olivebank* returned to Port Lincoln for a third time in February 1927 Axel decided to pay off and stay. Sailmaker Frank Laakso signed off with Axel.

In 1928 the friends bought the Gulf Docking Slip where they built fishing boats and dinghies as well as doing general boat repairs. In 1940 the town council would not renew Axel's lease because the slipway was said to be upsetting the natural flow of sand between it and the town jetty. At the

same time Jack McFarlane, who conducted a small boat building business about a mile away along the North Shore, wanted to sell. The deal that was worked out was approved by council, the State Harbors Board and other interested parties.

Axel and Frank spent most of 1940 moving their equipment, tools, work benches, cradle and camp to the new yard below the entrance to Happy Valley. With the exception of the cradle, all gear was floated to the new site on a raft built by Axel for the purpose and towed by his cabin cruiser *Rio Rita*. His shack came by raft and was positioned next to the workshop where it still stands. The exact number of boats built by Axel is unknown. Researchers have found reference to 44 boats between about 6.5 and 14 metres in length, and more than 250 dinghies up to 6.5 metres in length.

Some of the shipwright tools which Axel brought to Port Lincoln from Finland and which had belonged to his grandfather are in the museum, which also boasts one of the largest and most comprehensive displays of knots and splices in Australia. The almost forgotten skill of splicing can be demonstrated on request.

In 1992 the History Trust of South Australia provided a grant of \$6 000 for a librarian to catalogue the museum's artefacts, a project which was completed with a further grant of \$2 000 in 1995. Both grants were on a two for one basis. Several unemployed youth—Roderick Lugg, Brian Everett, Tim Atkinson, Kirsty Teacle, Troy Eglington, Kirk Sleep, Matt Shipard, Astra Parker and Craig Dobbin—have worked on Government-funded projects at the museum over the past six months. These projects were coordinated by Evelyn Poole, the project officers being Yvonne Freeman and Ralph Glass.

The ketch *Hecla*, the last wooden ketch working in South Australia, is part of the museum. It has been restored and is supported by a steel cradle built with financial assistance from the Australian Maritime Museum and the Commonwealth Department of the Arts. The wreck of the steam-powered jet propelled lifeboat *City of Adelaide* is on the museum site. This is believed to be the only surviving relic of only three boats of this kind ever built. The *City of Adelaide* was declared an historic shipwreck in the late 1970s.

The latest addition to the museum is the former tug *Nabilla*, which recently was brought back from Mount Gambier by Robert Hopping, Philip Roe and John Hopping, with Bob and Margaret Kretschmer assisting with the move. It is regrettable that moves to have a decommissioned Oberon class submarine placed in the museum were unsuccessful. The Axel Stenross Maritime Museum is a world-class museum providing fascinating glimpses of maritime history beginning with the era of sail, but perhaps that is not surprising in an electorate that has a coastline as long as that of Tasmania.

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

**Mr QUIRKE (Playford):** Before I come to the main body of my contribution, I want to recognise someone who is sitting on the benches opposite—the member for Finnis. Until yesterday we knew him as either the Leader of the Opposition (when he came back here in 1992) or the Premier (since the 1993 election). I thought it was an act of courage and a measure of the man that he not only came down into the Chamber today and stayed during Question Time but has remained through the grievance debate.

The honourable member knows my view on this: I am a member of the Labor Party and I will never vote for him for any position. I offered my support the other day, but that was not taken up. That may be what caused the problem for him, and if that is the case I apologise. In all sincerity, what the member for Finnis has done should be recognised: today he has come into this Chamber during what must be a very difficult and torrid time for him. Whatever he decides to do with regard to his future role, I wish him well.

Having spent from 10 February 1991 to December 1993 in Government I can say that an awful lot of buckets come your way, the contents of which are usually not that pleasant. I well remember 10 February 1991: a Premier's staffer rang me at 11.55 to tell me that the State Bank had lost \$1 billion. I was on the end of the Caucus list, which I did not mind. The ABC and the media outlets had been telephoned before I got the news. My job was to keep a stiff upper lip, sit in here every day and defend what the Government did. The former Speaker (who was then the Whip) had put me in cobweb corner, where I see the member for Mawson has been deposited for almost as long as I was there.

On top of that news there were a series of other disasters. Sitting in the Caucus room was like listening to the fire of artillery getting closer. I remember the telephone calls that came through to alert us that in Victoria John Cain was going. I remember looking at the face of the former Premier, John Bannon, throughout the 18 months before he went; and at Lynn Arnold who went through a similar process as the last Labor Government drew closer to the firing squad. All of us sat there. We knew what was coming—and if we did not we were foolish. Anyone who did not know what was coming was very silly indeed. I knew what was coming and I told anyone who stood still. At the end of the day we stuck in there and put up with it. We did not get panicked because, if we had, it would have been a disaster for the Labor Party. It might have been great for the Liberal Party and others, but it would have been a disaster for us.

What happened yesterday is interesting. I do not think the Liberal Government has had one opinion poll which has said that it was going to lose the next election. I find astounding the events which happened in this place yesterday. I have been racking my brains to remember when a Leader or Premier has been treated in this way. This man delivered to the Liberal Party a 37—not 36—seat result. I found the events of yesterday astounding.

**Mr LEWIS (Ridley):** My concern today is to address matters of grave concern in the electorate at large. In the first instance, I want to draw attention to what I consider to be a continuing unsatisfactory situation in WorkCover, where one of the people making decisions about what kinds of treatment can be provided to people injured at work and who they can get that treatment from is presently himself the kind of person assessed by his peers and found to be wanting. I am talking about Mr Ron Smith. It ill behoves him to decide what physiotherapists and occupational therapists can use as forms of treatment to help people back from injury to a constructive full working life again when his own credibility and professional standing has been found wanting when questioned by his peers in the profession. I just do not know how someone like that gets a job in WorkCover.

In particular, I refer to the way in which he and others in WorkCover have been bad-mouthing Ann Jackson, an occupational therapist, and the treatment she has provided to her patients. Ms Jackson has been able to get people back to

work who were basket cases and who were unable to get their injuries healed or achieve any recovery whatsoever. She has been able to get these people back to work in fairly short time, yet she has been told that she will not be paid by WorkCover and people in WorkCover are bad-mouthing her to insurance companies. I find that despicable, and it is about time that it was addressed. Her treatment works. She deserves payment.

Next, I want to draw attention to the attempt to perpetuate the fiction that secret women's business was associated with Hindmarsh Island. We find that those groupies who tried to perpetrate on the Australian people—both Aboriginal and non-Aboriginal—a myth and fabrication cannot accept the umpire's decision in that respect. They continue to attract what they hope will be public sympathy for their cause by organising the kind of march that they have undertaken to Hindmarsh Island in recent days in order to get attention for themselves and their discredited proposition.

We need to remember that the Labor Party was a catalyst in that fabrication—it was the Labor Party here in South Australia, if not more importantly the Labor Party in Canberra. It was the Labor Party and its discredited Minister Tickner who sought to interfere in the affairs of the State of South Australia and, in doing so, ban that bridge for 25 years. They did that on the tenuous findings of Professor Cheryl Saunders which were never open to scrutiny or argument. That is all well known.

The secret women's business originator or fabricator, Ms Doreen Kartinyeri, has written a book that I have read and that you, Sir, can read also. She is a genealogist, not an anthropologist. She said that she did not know much about the culture, the customs and the language of her people. She said that and she wrote that, yet she claimed to have the most intimate knowledge of gender based beliefs of those people when she claimed knowledge of secret women's business in respect of Hindmarsh Island. That distresses me.

She described as secret women's business an exact place, a definite and precise place. However, Professor Cheryl Saunders, in the report she prepared based on that, said it was an area of something like 100 square kilometres. That illustrates the sorts of inconsistencies that we have. We should also note that no-one but Doreen Kartinyeri herself seemed to have this particular knowledge until it was communicated to Cheryl Saunders. All we need to do is look at Royal Commissioner Sam Jacobs' report in which he described her report on that matter as outrageous. Further, this matter of secret women's business had never been raised previously, either directly or indirectly by anyone in the context of the Ngarrindjeri culture.

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

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## HEALTH MINISTER

**Ms STEVENS (Elizabeth):** I seek leave to make a personal explanation.

Leave granted.

**Ms STEVENS:** Yesterday, I received a letter from solicitors representing the Minister for Health concerning comments made by me in relation to compliance by the Minister with the Premier's code of conduct. The issue was whether shares held in the ANZ Bank by the Minister's

spouse created a conflict under the Premier's code of conduct, with shares in Healthscope held by the ANZ Bank subsidiary, ANZ Nominees. The letter from the Minister's solicitor has explained that and states:

ANZ Nominees has advised that none of the holding in Healthscope Limited has been held beneficially on behalf of the ANZ Banking Group, the company in which Mrs Armitage holds shares.

I accept that explanation without reservation, and I am now fully satisfied that the shareholding in question did not create any breach of the former Premier's code of conduct. These questions arose because of the Minister's responsibilities in relation to the \$700 million Healthscope contract to manage Modbury Hospital. The question was whether the Minister had complied with the code of conduct laid down by the Premier for shareholdings held by Ministers and their families. These were legitimate matters of public interest—

**Mr LEWIS:** Mr Deputy Speaker, I rise on a point of order. The member for Elizabeth sought and obtained leave to make a personal explanation, not to engage in debate on the merits of her position taken on that matter or otherwise, but merely to put facts before the House as to where she was misrepresented or where she otherwise needed to explain herself.

**The DEPUTY SPEAKER:** The honourable member is debating his point of order. I was listening to the member for Elizabeth and was trying to decide whether or not the matter was entering into debate. I am convinced at the moment that it is still factual, but I caution the member for Elizabeth that there should be no debate of this issue and that it should be simply a statement of fact.

**Ms STEVENS:** Thank you, Sir. These were legitimate matters of public interest based on information contained in Healthscope's annual reports for 1994 and 1995 and the parliamentary Register of Pecuniary Interests. I sought a response which was forthcoming only yesterday. On 14 November the Minister expressed outrage that I should ask such a question. He said that I was impugning someone who had a separate career to his own. I would never seek to impugn a person in this way, and that was not the thrust of my question. The code clearly lays down the following:

A Minister shall be taken to have an interest in any matter on which a decision is to be made—

if the possible decision or action could be reasonably capable of conferring a pecuniary or other personal advantage on the Minister, or his or her spouse or children.

That was the issue being explored. Had the answer I received yesterday been given on 14 November, that would have been the end of the matter. It was not until 27 November that I received the answer to my question explaining that the shares listed as being held by ANZ Nominees were not held for the benefit of the ANZ Banking Group. I repeat that my remarks were directed at the issue of compliance with the Premier's code of conduct and I fully accept this explanation. I assure the Minister that none of my comments was intended to cause the Minister or his family any inconvenience or hurt, and I regret if that has happened.

#### **EQUAL OPPORTUNITY (TRIBUNAL) AMENDMENT BILL**

Received from the Legislative Council and read a first time.

**The Hon. S.J. BAKER (Treasurer):** I move:  
*That this Bill be now read a second time.*

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

Leave granted.

This Bill amends the *Equal Opportunity Act 1984* to provide for the appointment of as many Deputy Presiding Officers as are necessary for the proper functioning of the Tribunal and to provide that the office of Presiding Officer or Deputy Presiding Officer becomes vacant if the appointee resigns by notice in writing to the Minister.

A problem is being experienced in the Equal Opportunity Tribunal with the limit on the number of Presiding and Deputy Presiding Officers. Section 18(1) provides that there will be a Presiding Officer of the Tribunal and not more than two Deputy Presiding Officers. The Presiding Officer must be a Judge or Magistrate while a Deputy Presiding Officer must be a Judge, Magistrate or legal practitioner of at least seven years standing.

With the increased number of cases going to the Tribunal, the limit on the number of Deputy Presiding Officers is causing some problems. This problem is exacerbated by one of the Deputy Presiding Officers being unavailable because of his appointment to the Youth Court. While the Deputy Presiding Officer has indicated that he would resign from the Tribunal to allow a further appointment, the Crown Solicitor has advised that this is not possible.

Section 18(5)(c) of the Act does not allow for the resignation of a Judge or Magistrate from the office of Deputy Presiding Officer. Interestingly, section 18(6)(c)(iii) provides for the resignation of legal practitioners from the office of Deputy Presiding Officer.

Therefore, the Bill amends section 18(1) of the *Equal Opportunity Act 1994* to provide for the appointment of as many Deputy Presiding Officers as are necessary for the proper functioning of the tribunal. Section 18(5)(b) is also amended to provide that the office of Presiding Officer or Deputy Presiding Officer becomes vacant if the appointee resigns by notice in writing to the Minister.

A consequential amendment is required to section 18(7). This subsection provides that, on the office of Presiding Officer or Deputy Presiding Officer becoming vacant, a person must be appointed to that office in accordance with the Act. With the potential increase in the number of Deputy Presiding Officers appointed under the Act, this subsection is no longer needed.

I commend this Bill to honourable members.

*Clause 1: Short title*

Clause 1 is formal.

*Clause 2: Amendment of s. 18—Presiding Officer and Deputy Presiding Officers*

Clause 2 removes the existing requirement that there be not more than two Deputy Presiding Officers of the Tribunal and provides that there may be as many Deputy Presiding Officers of the Tribunal as are necessary for the proper functioning of the tribunal. The clause also provides that where a judge or magistrate is appointed as the Presiding Officer or as a Deputy Presiding Officer that person may resign by notice in writing to the Minister.

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

#### **ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) (INTERIM CONTROL BOARDS) AMENDMENT BILL**

Returned from the Legislative Council without amendment.

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

*A quorum having been formed:*

#### **PARLIAMENTARY REMUNERATION (SUPPLEMENTARY ALLOWANCES AND BENEFITS) AMENDMENT BILL**

**The Hon. G.A. INGERSON (Minister for Industrial Affairs)** obtained leave and introduced a Bill for an Act to amend the Parliamentary Remuneration Act 1990. Read a first time.

**The Hon. G.A. INGERSON:** 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 clarify and confirm the powers of the Parliament and the Government to provide allowances and other benefits to members of Parliament that are additional or supplementary to the awards to the Remuneration Tribunal under the Parliamentary Remuneration Act 1990.

The Government recognises that it is part of members of Parliament's function to travel. However, it also recognises that there needs to be greater accountability by members of Parliament in relation to their travel. The Government in consultation with the Presidential Members, together with the Opposition and the Democrats has taken steps to amend the parliamentary travel rules to introduce greater accountability.

As part of the Government's recognition that there needs to be greater accountability in relation to members' travel allowances, the Auditor-General was asked to provide a report. As honourable members are aware, the grant and use of travel allowances of members is currently being examined by the Auditor-General and the question of the validity of those allowances and expenses granted either by the Government or by Parliament through the Presiding Members has arisen.

The Government has made available postage, stationery, computer, photocopying and equipment allowances for use by members of Parliament in managing their electorate offices and offices in Parliament House. These allowances have been managed and checked by Parliament Officers and the Minister for Industrial Affairs. The payment of these allowances and expenses by the Government needs to be put beyond question.

The basis of questioning the validity of these allowances and expenses is the judgment of the High Court in the case of *Brown v West*.

The Federal Government had granted all Federal members a postage allowance over and above the postage allowance granted by the Remuneration Tribunal. This additional allowance was challenged in the High Court and the Court held that the Government had no power to award an additional allowance. A South Australian case of similar effect, but on an unrelated topic is *Bromley v South Australia*. In this case a challenge to the Minister for Correctional Services granting ex gratia payments to prisoners over and above the payments provided for in the Correctional Services Act was successful.

The basis of the *Brown v West* decision is that the exercise of the executive or prerogative power is excluded by the Parliament passing an Act which vests in a tribunal the power to make a comprehensive determination in respect of allowances and expenses.

The present uncertainty must be resolved as soon as possible. The Government believes that the present system of a mix of allowances and expenses being awarded by the Remuneration Tribunal, Parliament or the Government best suits the needs of members of this Parliament.

This Bill, in effect, preserves the status quo. Clause 2 puts the issue beyond doubt that Parliament and the Crown may provide to members allowances and benefits additional to those awarded by the Remuneration Tribunal under the Parliamentary Remuneration Act. Clause 3 ensures the validity of past allowances and expenses paid to members pursuant to decisions of Parliament and the Government.

I commend this Bill to honourable members.

*Clause 1: Short title*

This clause is formal.

*Clause 2: Insertion of s. 6A*

This clause makes specific provision about the ability of the Parliament and the Crown to provide allowances and other benefits that are additional or supplementary to the awards of the Remuneration Tribunal under the Act.

*Clause 3: Application of amendment*

The amendment to be effected by this measure is to operate both prospectively and retrospectively.

**Mr CLARKE (Deputy Leader of the Opposition):** The Opposition supports this Bill for the reasons that are very clearly outlined in the Minister's second reading explanation. This is my first opportunity to offer my congratulations to the Minister in his new role as Deputy Premier. I am sure we will have a robust relationship with him into the future in his new

capacity. In any event, I do extend to him my congratulations on his appointment as Deputy Premier, as short as that may be.

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

**Mr CLARKE:** The Deputy Premier interjects that that is something I may not get to enjoy. I doubt that very much. The prospects get better and better as every day passes in the lead-up to the next election.

*The Hon. E.S. Ashenden interjecting:*

**Mr CLARKE:** The Minister for Housing interjects too much. I am tempted to wax lyrical, but this is not the appropriate occasion. The Minister's second reading explanation refers to a High Court decision in the matter *Brown v West* concerning the payment of electoral allowances to enable members of Parliament to do their rightful business on behalf of constituents, and likewise with respect to the allowance dealing with travel, and the fact that it could have a retrospective impact. That is an absurd position and cannot be countenanced in any situation.

Clearly, members of Parliament have to be able to conduct their business on behalf of constituents and need to be able to be reimbursed for that through the provision of electoral allowances to enable them to carry out their task, and particularly in respect of the Government's making available services such as computers, stationery, postage and photocopying equipment. It would be absurd to think that the Government could not provide members of Parliament with those essential tools for their work in making representations on behalf of their constituents.

For all the very sound reasons contained in the Minister's second reading explanation—indeed, it must be the only second reading explanation put forward by this Minister where I agree with every word in such totality—the Opposition has no objection to this matter proceeding through both Houses of Parliament post haste.

**The Hon. G.A. INGERSON (Minister for Industrial Affairs):** I thank the Deputy Leader for his sincerity in supporting this very important issue.

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

#### SELECT COMMITTEE ON THE PULP AND PAPER MILL (HUNDREDS OF MAYURRA AND HINDMARSH)(COUNCIL RATES) AMENDMENT BILL

**The Hon. E.S. ASHENDEN (Minister for Housing, Urban Development and Local Government Relations):** I bring up the report, together with minutes of proceedings and evidence, of the select committee, and move:

That the report be received.

**The Hon. E.S. ASHENDEN:** I move:

That the report be noted.

It is my intention to speak very briefly on this. It seems to be becoming a bit of a habit. I want to commend the Opposition for its cooperation in respect of this matter. We have been able to bring forward a unanimous report, and that exemplifies the fact that the recommendations put forward in the report are recommendations that, although not accepted totally by the community of Millicent, certainly are accepted by the vast majority. The council supports this, as does the company affected. I understand that, quite rightly, Opposition members have put forward some concerns in relation to



residents in close proximity to the pulp and paper mill. I understand that the member for Napier will be addressing those concerns.

As Chairman of the committee, I very much appreciate the way in which members of the Opposition approached this report and, although they have concerns, they have still indicated that they support the report itself. That means that we can indicate quite clearly to the council and the residents of Millicent that the Parliament supports the recommendations of the report. I commend the report to the House.

**Ms HURLEY (Napier):** As the Minister stated, the Opposition did have a couple of concerns, which were raised during the select committee process. Neighbouring rural property owners adjacent to the Kimberly-Clark factory are concerned about pollution of their own properties and the surrounding area, and the amount of money that might be needed to remediate or to bring about improvements in the neighbouring area. Concerns were also expressed about the inequity of Kimberly-Clark paying what is basically a rural rating value when, in fact, it is obviously an industry.

However, the council, Kimberly-Clark and most of the community, apparently, have shown a great deal of goodwill, and it has been acknowledged that Kimberly-Clark does contribute to the community not only directly in terms of jobs and the rates it pays but also indirectly. While the Opposition has sympathy with the adjoining landowners whose properties and surrounding areas have been damaged by the operations of Kimberly-Clark, it realises that Kimberly-Clark has taken great steps to improve its operations in terms of pollution and environmental acceptability and that the

operation of Kimberly-Clark is seen as vital to the community of Millicent. Therefore, the Opposition is content to agree with the report and accept the findings of the select committee.

Motion carried.

Bill taken through its remaining stages.

### MEMBERS' TRAVEL

**The DEPUTY SPEAKER** laid on the table a summary of expenditure for 1995-96 by members under the Members of Parliament Travel Entitlement Rules.

### LOCAL GOVERNMENT (CITY OF ADELAIDE) BILL

**The Hon. E.S. ASHENDEN (Minister for Housing, Urban Development and Local Government Relations):** I have to report that the managers for the two Houses conferred together but that no agreement was reached.

### ADJOURNMENT

At 4.3 p.m. the House adjourned until Tuesday 3 December at 2 p.m.

## HOUSE OF ASSEMBLY

Tuesday 26 November 1996

### QUESTIONS ON NOTICE

#### VALUE MANAGEMENT WORKSHOP

##### 3. Mr ATKINSON:

1. In the Department of Transport letter about the Value Management Workshop sent to members of Parliament, including the three eastern suburbs Liberal MPs who were invited to attend, why did the version sent to the members for Spence and Peake omit the words 'the study will not assume that the current National Highway Urban Link along Portrush Road, Hampstead Road and Grand Junction Road is the necessary route'?

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

The Department of Transport has commenced a Value Management Study of heavy vehicle route options linking Mt Barker Road to Wingfield. As part of the process a workshop was proposed for 17-18 September 1996, with invitations to participate sent to a representative cross section of the community, including the City of West Torrens, the Mile End Residents' Association—although no representative from either party attended. The Department of Transport also invited the three members of Parliament involved in previous discussions regarding the undertaking of the value management process. Only the member for Norwood participated in the workshop.

The sentence referred to by the member in his question was only incorporated in the letters inviting participation in the workshop (including letters sent to western suburb invitees) so all participants would appreciate that all options were to be evaluated objectively, without any preconceived preference for the outcome.

As a courtesy, the Department of Transport also sent advice to all members of Parliament whose electorates included councils or groups invited to attend the workshop. As is customary in such circumstances, this advice was an abbreviated version of the invitation sent to participants.

For the member's interest, the September workshop is only the first step in a comprehensive process to address the issue of heavy freight vehicles travelling through the Adelaide metropolitan area—a process which will include further community consultation.

#### ABORIGINAL TUTORIAL ASSISTANCE SCHEME

##### 7. Ms WHITE:

1. What assessment has been made of the value or otherwise, of the Aboriginal Tutorial Assistance Scheme (ATAS) in South Australian schools and what were the results?

2. To what extent has funding for the ATAS been cut back?

3. Will the Government pick up any cut in funding from the Federal Government to the scheme and if not, what will be the impact on students currently receiving assistance under the scheme and what steps will be taken to ensure that reduced resources for this scheme will not translate into worse performance in school by the Aboriginal students currently being assisted and not hinder efforts to induce Aboriginal students to complete their schooling?

4. What is the government's commitment to aiding Aboriginal school students to meet their educational needs and what resources does it expend on programs which target Aboriginal students in particular?

5. What percentage of the total 1996-97 Education Budget will be spent on programs which specifically target Aboriginal school students?

##### **The Hon. R.B. SUCH:**

1. The only assessment that has been made of the ATAS program is a client perception survey that was undertaken by the Commonwealth Department of Employment, Education Training and Youth Affairs (DEETYA). This survey was undertaken for use within their department. The survey did not draw any links between a student's access to tutoring and an increase in achievement outcomes. Rather, the survey focussed specifically on client satisfaction.

2. DEETYA has provided advice that the total amount of monies allocated to direct assistance programs, including ATAS, has been maintained.

3. The development of the Department for Education and Children's Services (DECS), Aboriginal Education Plan will outline strategies for the system in responding to the educational needs of Aboriginal students.

Assistance is currently being provided through programs to support Aboriginal students. Schools with significant Aboriginal student enrolments are supported through the deployment of Aboriginal Education Workers (AEWs) and Aboriginal Education Resource Teachers (AERTs). Aboriginal students enrolled in schools with small numbers of Aboriginal students are able to access hourly paid instructor time for support. Schools are also able to call on regional consultants working in the area of Aboriginal Education, Special Education, Interagency and other services for support with programs for Aboriginal students.

The following specific programs support Aboriginal students:

- English Language Acquisition (ELA) for Aboriginal students
- Aboriginal languages
- Contextualising Mathematics
- Aboriginal and cultural studies
- Aboriginal Perspectives Across the Curriculum (APAC)
- Aboriginal and Islander Career Aspirations program (AICAP)
- Induction program for new teachers in Aboriginal schools
- Aboriginal speakers program and the provision of cultural instructor time
- the Aboriginal Student Support and Parent Awareness program (ASSPA)
- the support of school based homework programs
- training and development for teachers in the Teaching Aboriginal Students package (TAS)
- The deployment of district and regional based AEWs, Aboriginal Project Officers, and Aboriginal Attendance and Behaviour Management (AABM) Project Officers.

The introduction of APAC is an initiative that will embed Aboriginal perspectives across all areas of study.

4. See response to question 3, plus the following additional information:

Through the 1996 Indigenous Education Agreement with the Commonwealth for the Aboriginal Education Strategic Initiatives Program (AESIP) 1996, the following resources are provided by the Commonwealth to the schooling sector:

Aboriginal Schools Program	\$130 000
Anangu Schools Program	
- AEWs \$520 000	
- other \$160 000	\$680 000
Aboriginal Education Workers	\$2 040 000
Training and development for teachers	\$180 000
Cultural Instructors and school speakers	\$118 200
Yalata/Oak Valley Pre-school initiative	\$111 700
Policy Planning and Review	\$230 700
Statewide Training and Student Support	\$315 000
Training and development of Aboriginal staff	\$40 000
Aboriginal and Cultural Studies	\$420 000
the Aboriginal Education Worker Conference	\$20 000
<i>Total AESIP funding for 1996:</i>	<i>\$4 285 600</i>

Further funding is attracted from the Commonwealth for the following programs:

Training Aboriginals Program	\$48 970
Aboriginal Curriculum Perspectives	\$9 204
ASSPA training	\$43 155
Aboriginal and Islander Career Aspirations	\$138 663
Anangu Education	\$756 231

*Total of funding from the Commonwealth outside of the AESIP*

\$996 223

The State's contribution to Aboriginal Education Programs for 1996 is targeted for the following initiatives:

Aboriginal Education Specialist Officers (AERTs)	\$2 000 000
Anangu Teacher Education Program	\$125 000
Reduced rate for Commonwealth salary on costs	\$267 000
Aboriginal Education Workers	\$362 000
Anangu Schools Program	\$592 000
The cost of schooling for Aboriginal students over and above what is provided for non-Aboriginal students	\$6 642 466

Total state contribution to Aboriginal education initiatives

\$9 988 466

5. 0.99 per cent.

#### STATE BUDGET

27. **Mr ATKINSON:** What was the nature of the cut in services on the consumer services line in the budget that, according to part B of the Auditor-General's Report at page 56, amounts to 10 per cent compared with the year 1994-95?

**The Hon. S.J. BAKER:** There has been no reduction in services provided under the Consumer Services Program. The reduction of \$455 000 in expenditure on the Consumer Services line is due to the following factors:

- Accommodation costs of \$101 000 which in 1994-95 were included in this program were centralised in the Intra-Agency Services Program for the Attorney-General's Department in 1995-96;
- The 1994-95 expenditure on consumer services included one-off expenditure of \$141 000 on the upgrade of information technology equipment;
- A reduction of \$45 000 for administration payments has resulted from productivity and savings initiatives implemented in the consumer services program;
- The 1994-95 budget included one off expenditure of \$52 000 for the provision of office machines due to the relocation of the office of Consumer and Business Affairs; and
- The balance of \$116 000 represents savings in salaries and wages.

#### GOVERNMENT COMPANIES

29. **Mr ATKINSON:** How often in the past financial year did Government owned companies not provide information requested by the responsible Minister and what percentage of Government owned companies complied with the Auditor-General's recommendation that articles of association should give the responsible Minister authority to request information from the board?

**The Hon. S.J. BAKER:** This is not information held by the Attorney-General and the collection of the information would be too costly.

#### SENSATIONAL ADELAIDE INTERNATIONAL TATTOO

34. **Ms WHITE:**

1. Was any Government sponsorship provided for the 1995 Sensational Adelaide International Tattoo and if not, was Government sponsorship considered for the event and if so, what 'score' did that event receive under the weighting criteria outlined by the Minister in response to a question asked of him during Estimates Committee hearings and how does this score compare with that for other events which have received financial support from the Government over the past two years?

2. What is the Minister's assessment now about the value or otherwise of Government financial sponsorship for a future Tattoo in Adelaide?

3. Is the Government providing sponsorship for the 1996 Sensational Adelaide International Tattoo?

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

1. The South Australian Tourism Commission provided a \$100 000 sponsorship for the naming rights of the 1995 Sensational Adelaide International Tattoo staged at Glenelg between 23 November and 3 December, 1995. This sponsorship was made available by the Government through the SATC's Special Events and Festivals Program. The Tattoo was not judged against the criteria and evaluation process established by Australian Major Events. It was the AME criteria I referred to in my previous response to Ms White. The Special Events and Festivals Program administered by the South Australian Tourism Commission had a separate criteria which essentially focussed on the potential intra and interstate visitors and media exposure. The 1995 Tattoo attracted 26 000 people over 9 nights and the ABC produced a one hour special which was broadcasted nationally a week after the final performance at Glenelg.

2. Financial sponsorship of future Tattoo's will depend on the event's capacity to draw attendances, the interest of the media and corporate sponsorship. The Tattoo Management Board has increased the venue capacity and again secured a deal with ABC TV to produce a one hour special and the Government has been assisting with marketing and promotion of the 1996 event.

3. The Government has agreed to be the major sponsor of the 1996 Tattoo and \$75 000 has been provided to Adelaide International Tattoo Incorporated through the Special Events and Festivals Program. I am certain that the very successful 'Sensational Adelaide' marketing brand will be synonymous with another successful event in the Tattoo.