HOUSE OF ASSEMBLY

Wednesday 25 November 1998

The SPEAKER (Hon. J.K.G. Oswald) took the Chair at 2 p.m. and read prayers.

GLOSSOP WATER SUPPLY

A petition signed by 695 residents of South Australia requesting that the House urge the Government to provide the township of Glossop with a filtered water supply was presented by Mrs Maywald.

Petition received.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Human Services (Hon. Dean Brown)—

Chiropractors Board of South Australia—Report, 1997-98
Guardianship Board of South Australia—Report, 1997-98
Nurses Board South Australia—Report, 1997-98
Pharmacy Board of South Australia—Report, 1997-98
Physiotherapists Board of South Australia—Report, 1997-98.

MENINGOCOCCAL DISEASE

The Hon. DEAN BROWN (Minister for Human Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: In seeking leave, I also table a report concerning the expert investigation into meningococcal disease in South Australia. There have been 25 cases of meningococcal cases reported to the Department of Human Services so far this year. Tragically six people died and our sympathies, of course, go out to the families and friends of those people. In September the Department of Human Services commissioned an external review of South Australia's response to meningococcal infection. The reviewers were Professor Rosemary Munro, Professor and Director, Department of Microbiology, Liverpool Hospital, New South Wales and Dr Mahomed Patel, Fellow, National Centre for Epidemiology and Population Health, Australian National University, Canberra.

The review was carried out on 23 and 24 September of this year, at which stage 18 cases had been notified, with six deaths. I now table a copy of the reviewers' report. The reviewers noted that, while the total number of cases for the year was within the expected annual range, the numbers rose steeply over the months of July and August of 1998 and by September six of the 18 cases, that is 33 per cent, had died, which they describe as 'an unusual occurrence'. The deaths were not associated with a specific virulent strain of *Neisseria meningitidis* but with a group of heterogeneous strains.

I am pleased to advise the review of the public health response found that the Communicable Disease Control Branch of the department had met the criteria for a rapid response system 'to an exemplary high standard of performance'. In relation to contact tracing, the reviewers commented that 'all contacts of 15 of the 18 cases were identified and advised within 24 hours, a unique achievement indeed by any standard'.

The reviewers also assessed the clinical response. They commented favourably on the timeliness of starting treatment and on the appropriate choice of antibiotic in 94 per cent of cases. It is a matter of some concern, however, that they reported as follows:

> The initial dose given was inadequate in 75 per cent of the patients. Initial treatment was given in a number of different hospitals and some patients were then transferred to larger city hospitals.

It is a major recommendation that hospital clinicians ensure the treatment regimes comply with established antibiotic guidelines. I can assure the House that this recommendation is being acted upon. The department will re-issue the National Health and Medical Research Council antibiotic guidelines to accident and emergency staff in all hospitals, including general practitioners who play a crucial role in rural accident and emergency departments. The department is also working with the Royal Australian College of General Practitioners and the Australian Medical Association, and will continue to promote and support provision of information and education to medical staff in meningococcal disease.

The other major recommendation calls for an overhaul of the means of communicating information to the public via the media—and in the words of the reviewers—'which frees the public health staff from this aspect of the work'. The department accepts the need for a professional approach to communicating public health information and has commissioned a formal review of communications.

I believe that the review by Professor Munro and Dr Patel was timely in view of the community concern. It highlights that South Australia has performed very well in a number of important areas. It points to improvements that can be made in other areas and these will be followed through with vigour. It also has national benefits. The South Australian experience has identified several limitations in the National Health and Medical Research Council guidelines, and submissions will be made seeking their revision so that the rest of Australia has an up to date comprehensive framework within which to respond to meningococcal disease.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the fourth report of the committee and move:

That the report be received and read.

Motion carried.

Mr CONDOUS: I bring up the fifth report of the committee and move:

That the report be received.

Motion carried.

Mr CONDOUS: I bring up the annual report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

ELECTRICITY, PRIVATISATION

The Hon. M.D. RANN (Leader of the Opposition): Is the Premier putting at risk jobs growth and the health of manufacturing in this State in order to boost the sale price of ETSA and Optima and, if not, how will he respond to the concerns of Mr Ian Webber, one of the State's most respected

business leaders and the former head of the Government's South Australian Development Council? Mr Webber has taken the extraordinary step of writing an open letter to the Treasurer raising his serious concerns about the Government's lack of support for Riverlink in favour of the construction of a new power plant at Pelican Point. In his letter, Mr Webber states that, whilst he supports electricity privatisation, he is 'concerned that in taking steps to maximise the sale value of these assets the long-term manufacturing competitiveness of this State will be compromised.'

Mr Webber goes on to say that, without an assurance that the new plant will sell its power in unconstrained competition with interstate electricity, 'I can only assume that the Government has placed a higher priority on maximising the proceeds from the ETSA sale than on the long-term competitiveness of manufacturing (and, therefore, the growth of jobs in manufacturing) in our State.'

The Hon. J.W. OLSEN: I am pleased to respond to this question, because one thing that Mr Webber has shown is his real regard for the cost of power for the manufacturing industry in this State—far more than the Opposition which has no policy. The Opposition has a policy free zone on ETSA and the positioning of the manufacturing industry in this State. When I say 'a policy free zone', the Opposition did have a policy yesterday, but it was a partial policy—I will come back to that later. The position in relation to Riverlink was decided by NEMMCO; it was not a decision of the South Australian Government.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: That is the first point which the Leader of the Opposition seems to overlook. The second point is that what we are about is addressing the demands for the year 2000-01 summer period. Without additional generating capacity in South Australia at that time we will have brownouts and blackouts which will disadvantage industry in this State. The Government seeks to ensure a competitive marketplace for electricity. Together with Mr Webber, we want privatisation, but the Labor Party with its intransigent view just blocked for the sake of blocking progress in South Australia on this ETSA legislation. The Leader of the Opposition is a hypocrite: he quotes a letter from Mr Ian Webber—which I have not seen—which supports the Government's thrust for privatisation. Ian Webber is supporting the Government's policy thrust, and here is the Leader of the Opposition taking an issue—

The Hon. M.D. Rann interjecting:

The Hon. J.W. OLSEN: Yes. He is supporting the Government's proposal to privatise electricity assets in South Australia. That is clear—he has said so previously.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: The Government has the same objective as Mr Webber or anyone else, and that is competitive electricity prices for the manufacturing industry in South Australia. That is what we will deliver. The simple point I make to the Leader of the Opposition is that NEMMCO made the decision on Riverlink, not the South Australian Government.

Mr HAMILTON-SMITH (Waite): Will the Premier inform the House whether or not a long-term lease of the State's electricity assets amounts to what the Leader of the Opposition describes as a sale?

The Hon. J.W. OLSEN: The antics and press release of the Leader of the Opposition yesterday had to be seen to be believed—the Leader of the Opposition, who has been fighting against any progress on ETSA legislation since 17 February, doing anything to stop and block it. Then, after six months, and negotiations with interested parties, and detailed negotiations and publicity about that over the past couple of weeks, when the Leader thinks that it will go through, he says, 'Well, what you have, of course, is that a lease is, effectively, a sale.' That is what he is saying. If a lease is effectively a sale, is that not what the Hon. Terry Cameron was expelled from the Labor Party for—breaching ALP State conference rules? And here we have the Leader of the Opposition now suggesting that the same would be the case for this reason. In fact, the Leader's press release states:

> Mr Xenophon has a moral obligation to block this sale in disguise. The Labor Party will fight to oppose a long-term lease of ETSA and Optima, saying it is effectively a sale of our electricity system.

This is the Leader's press release. But this is where the Leader's press release gets somewhat interesting. It continues:

> Mr Xenophon must now know that a future Labor Government would be financially bound to renew the leases.

A future Labor Government will not get him off the hook. What he has effectively said is that any Government in the future, including a Labor Government—God forbid—in South Australia, would not do any other than renew the leases. That is what the Leader said yesterday: that Labor will renew the leases. If that is the case, according to the Leader of the Opposition, that is a sale. The Leader, by his own press release, has done exactly what the Hon. Terry Cameron has done. When Parliament passes this Bill—the enabling lease option of our power utilities—the Labor Party will support the future leasing operations. That is what it has said: it will support it in the future.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader will come to order.

The Hon. J.W. OLSEN: I can understand that he is a little testy on this issue, as well he might be—in panic mode yesterday, and desperation tactics, now supporting a referendum. Let us have a look at this question of the lease. Back in 1987, the State Labor Government announced that it would lease the Torrens Island Power Station. At that time, the Labor Minister of Mines and Energy refused to disclose the terms of the lease. Interestingly, then Premier John Bannon also refused to detail the terms of the lease. Such was the secrecy behind the deal that the lessee of the Torrens Island Power Station was never named. So, leasing the Torrens Island Power Station by a Labor Government in 1987 for 25 years was okay, but in 1998 a Liberal Government leasing the Torrens Island Power Station is not okay. What an absolute hypocrite this Labor Party is in Opposition. It is okay for it to take on long-term leases but it is not okay for this Government to take on long-term leases.

What is the difference? The difference is that we have from the Opposition politics simply for the sake of politics. We have a Labor Party which has been caught out and which in 1998 is trying to block and stop this policy initiative for South Australia. At the end of the day, it will not be successful, because a no policy Party will be rejected by the people of South Australia. What we are doing is implementing a policy initiative that will position this State in the future, positioning manufacturing industry with a future and positioning job prospects for South Australians in the future.

Members interjecting:

The SPEAKER: Order! I issue a general warning to all members. Twice yesterday I warned the House against these constant scatter-gun interjections. Members were interjecting so much during that last answer that I do not believe that the member for Elder heard me give him a caution. Members may be tired—the Chair certainly is—but that type of behaviour will not be tolerated this afternoon.

Ms HURLEY (Deputy Leader of the Opposition): Given the concerns raised by Mr Webber, how can the Premier guarantee that the seven year electricity price contract to be offered to the owner of the Pelican Point plant will result in power prices that are competitive with those that would be available through Riverlink, especially given the losses made on the Osborne co-generation pricing contract? The now Premier was responsible for the 10 year pricing contract to buy power from the private electricity co-generator at Osborne. The Premier told Parliament earlier this year that the deal had lost taxpayers $96 million through a write-down by ETSA.

The Hon. J.W. OLSEN: I would like to know what the Deputy Leader of the Opposition will say in answer to industry in this State come December, January or February in 2000-1 if there is not enough generating capacity to keep industry going. What will the Deputy Leader say to General Motors-Holden's when they have to shut down for a couple of hours? What will the Deputy Leader say? Do you or do you not want to take a policy initiative to protect the generating capacity and the accurate flow of electricity to manufacturing industry in this State?

The Deputy Leader of the Opposition and the Leader of the Opposition would have been the first people in this Parliament to criticise this Government if we had not taken the initiative, given the warnings that we have received that down the track we will need a greater generating capacity than we currently have to meet the needs of industry. We have been proactive to meet the needs of industry in the summer period of 2000-1. The purpose of the Pelican Point proposal was to ensure that from November 2000 we had additional generating capacity. I can tell the Deputy Leader that I would far sooner be in a position to have available generating capacity to meet all the needs of industry than put industry on a ration for electricity in 2001.

The Hon. G.A. INGERSON (Bragg): Will the Premier inform the House about the Government's response to the Opposition Leader's latest support for a referendum on the lease of ETSA?

The Hon. J.W. OLSEN: Once again, we have the Leader of the Opposition doing a couple of cartwheels in the last 24 hours.

An honourable member interjecting:

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

The Hon. J.W. OLSEN: I guess it is good to see that the Leader of the Opposition is at least a quick thinker and decision maker on some subjects. Mr Xenophon made his position clear in relation to a referendum on 11 August this year. What did the Leader of the Opposition say? The next day he said, 'A referendum is unnecessary', and, in addition, Sandra Kanck said, 'Even if you did have a referendum we would take no notice of it.'

The Hon. M.D. Rann interjecting:

The SPEAKER: I warn the Leader for the second time.

The Hon. J.W. OLSEN: That is the position that was put down. Yesterday, despite that position being put down by the Leader, he said that he wants to insist on a referendum before any lease is signed. So, from a position three months ago where it was totally unnecessary, the Leader of the Opposition now insists there be a referendum. But there is one member opposite who got it right: the member for Hart. On the same day that the Leader of the Opposition said it was unnecessary, he said in August on the same radio station that he thought it was not such a bad idea. Anyway, the member for Hart's policy of 11 August took 3½ months, but it is now the policy of the Leader of the Opposition.

I can tell the Opposition that we will not put $5 million or $6 million of taxpayers' funds at risk. We will move and negotiate, and what the Leader of the Opposition does not like is that we have moved in negotiation with a range of parties in relation to this. We have a proposal before the Parliament to be considered by the Parliament that, in part, is not a lot different from what a Labor Government put in place in 1987. These hypocrites opposite who have no policy, no idea and no new suggestion but who simply want to block are being shown up for what they are.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I remind the Leader that he is not immune from a Standing Order.

HAMMOND, Dr L.

The Hon. M.D. RANN (Leader of the Opposition): In the light of the Auditor-General's supplementary report showing that the former MFP chief Dr Laurie Hammond received payments of between $470 000 and $480 000 for the six month period to the abolition of the MFP, including salary and termination pay out as well as a $200 000 taxpayer funded consultancy, will the Premier now explain why the House was once again provided with incorrect and misleading information?

The Hon. J.W. OLSEN: The Minister has indicated to the House that the matter is being looked at and a full report will be made to the House. If the Leader of the Opposition would like me to, I would be more than happy to detail a letter in relation to Mr Bruce Guerin, also a former CEO of the MFP. The member for Hart would well remember this, because the member for Hart put in place the deal for one Bruce Guerin with the then Premier.

Members interjecting:

Mr FOLEY: Mr Speaker, I rise on a point of order.

Members interjecting:

The SPEAKER: Order! The House will come to order.

Mr FOLEY: Can I suggest that the Premier would have better luck asking his good friend Geoff Anderson—

The SPEAKER: Order! There is no point of order.

Mr FOLEY: —about that particular deal.

The SPEAKER: Order! The honourable member will resume his seat. There is no point of order. The Premier.

The Hon. J.W. OLSEN: Not only have we a deal in place for Bruce Guerin, but it goes on and on. It is still going on, including his private plated Government motor vehicle, which is supplied to him through Flinders University, and the deal they put in place for the former CEO of the MFP, post the collapse of the State Bank, is a deal a lot of us would not mind having in retirement. We will put down the full details of this when we reply on the details of Dr Hammond.

Members interjecting:

The SPEAKER: Order! The House will come to order.

AUSTRAL PACIFIC

Mr CONDOUS (Colton): My question—

Members interjecting:

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

Mr Foley interjecting:

The SPEAKER: The member for Colton.

Mr CONDOUS: Can the Premier inform the House what action is being taken by the State Government to determine the financial position and future of Austral Pacific in view of the recent decision to stand down 250 workers at its Royal Park plant?

The Hon. J.W. OLSEN: We are particularly disappointed at the announcement yesterday, without prior notice or warning to the Government in relation to that facility. As soon as we were aware of the circumstances, I asked, first, the Minister and the department to contact the company so that we might look at ways in which we could negotiate with the company and have a look at the difficulties it is experiencing and see whether there is a way or ways in which the Government can facilitate or assist—after due diligence, of course—with the survival of the company and therefore the jobs.

A meeting took place at 11 o'clock this morning with officers of the company, but I have not received a detailed report on that to this time, but the CEO of the company is based interstate and we have been attempting to speak to one another by telephone today. We have missed one another and I hope, as soon as Question Time is over, to have discussions with the CEO of the principal company. We are committed to the manufacturing industry in South Australia and this facility. It is not only the company itself and the 200 plus employees at issue: it is the subcontractors who supply a range of services and goods to the company, and we would want to see its survival. Of course, we will have to undertake a thorough review of the financials to understand where the difficulty has occurred and what might need to be done to overcome that. It was only in 1992 that the former Labor Government put $500 000 into the company to assist it.

I make no comment on that, other than to say this: if the company has been assisted in recent times, why has it not been able to position itself to be able to trade on effectively in the future? There is a clear line between where the Government can assist and when assistance becomes a drip feed. We would not want that. I am not suggesting that that is the case in this instance but we certainly would not want that to be the case, and I am sure most members of this Parliament would not want that to be the case in the future. As a priority, the department has been told to investigate a range of options and report back as soon as possible, particularly to the work force, who have received stand-down notices in the weeks before Christmas. That is a particularly difficult period for any of us and none of us would want to be in those sets of circumstances.

I can assure the House that the Government will give full consideration and use its best endeavours to assist in resolving this issue. We have had correspondence from the union and also from the company, and we will attempt to work our way through this issue in the interests of, first, South Australia and, secondly, the company or some new company that might be able to be formed to use the current premises, contracts and facilities and, importantly, to give some degree of reassurance and certainty to the work force, who are currently in a stand-down position. I will report to the House as soon as is appropriate, but several days will be required to undertake the detailed due diligence process prior to making any final determination.

HAMMOND, Dr L.

Mr FOLEY (Hart): I direct my question to the Premier. Were any payments made to Dr Laurie Hammond above those amounts approved by Cabinet, as either part of his salary package or his termination pay-out and, if so, who authorised those payments? With your leave and that of the House, I will briefly explain my question.

An honourable member: Question!

Members interjecting:

The SPEAKER: Order! 'Question' having been called, the honourable member will resume his seat. The honourable Premier.

Mr Foley: They're trying to gag the Opposition now, are they? You don't want to take questions?

Members interjecting:

The SPEAKER: Order! The Minister for Government Enterprises.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: I remind the member for Hart that someone from the Opposition called 'Question' yesterday.

Mr FOLEY: I rise on a point of order, Sir. This was a direct question to the Premier and, as we said last Thursday, the buck stops with you, Mr Premier; you cannot pass it off to the Minister.

The SPEAKER: Order! The honourable member will resume his seat. Before the Minister responds, the Chair points out that yesterday 'Question' was called and today the call was made by the other side. Both sides have now squared off against each other, and there is no future in ensuring effective management of the House if this continues. I would like both sides to bear that in mind. The honourable Minister.

The Hon. M.H. ARMITAGE: If yesterday was an accident, so was Mr Bruce Guerin's contract. As I have identified—

Mr Foley interjecting:

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

Mr Foley interjecting:

The SPEAKER: Order! I warn him for the second time. The Minister.

The Hon. M.H. ARMITAGE: As I have identified to the House, the matter of the separation payments and the final figures which have been paid to Dr Laurie Hammond are under investigation. I am more than happy to tell the House that, if there is any irregularity in those payments, that matter will be referred to the appropriate persons.

LOCAL GOVERNMENT COUNCILLORS

Members interjecting:

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

Mr SCALZI (Hartley): Thank you, Sir. I direct my question to the Minister for Local Government. What are the views of the local government sector on the role of councillors?

The Hon. M.K. BRINDAL: Earlier this year the Local Government Association surveyed councillors on their role. The results, which were endorsed by an overwhelming number of councils at their AGM and in other forums,

indicated a rejection of professional paid councillors and reinforced the support of those councillors, mayors, the Local Government Association generally and the local government culture for a voluntary community service. They also very strongly indicated that they did not want to see Party politics intruding into the local government sector in South Australia. Unfortunately—

Mr Conlon interjecting:

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

The Hon. M.K. BRINDAL: Unfortunately, the Party heavies opposite, including the Party heavies in Trades Hall—

The SPEAKER: Order! The Minister will not inflame the situation.

The Hon. M.K. BRINDAL: I take your guidance, Sir. They have decided that they do not agree with this. The LGA said nothing about local government becoming the preserve of Party hacks who lack the factional clout to get preselected for a State or Federal seat. However, the Labor apparatchiks reckon they can perhaps have a new tier of jobs for the boys and girls.

Mr CONLON: On a point of order, Sir, yesterday you raised a question about specificity of questions. The answer appears to be straying I do not know where.

The SPEAKER: Order! There is no point of order. I have listened carefully to the question and answer. At this stage the question is not out of order and neither is the answer.

The Hon. M.K. BRINDAL: By writing to ALP branch members and by publicising candidates—

Mr Atkinson interjecting:

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

Mr Atkinson: Oh, come on!

The SPEAKER: Order! I warn him for a second time. Members may not like the Chair intervening in the constant interjection across the Chamber, but the Chair's patience is wearing thin. Such behaviour is not acceptable and, indeed, is contrary to the way in which the Parliament will be conducted. If members want to engage in this scatter gun type of interjection and take on the Chair, they may do so, but the Chair has had just about enough of it. The Minister.

The Hon. M.K. BRINDAL: By writing to ALP members and publicising candidates in the forthcoming Adelaide City Council election as part of a Labor team, they have decided to turn the traditions of local government in this State on their head. South Australians, including those who volunteer their time to serve on councils, value these traditions. If Labor had its way, local government would not be about community service but all about Party politics, and it is no wonder that the Lord Mayor says that she is shocked and appalled by this turn of events.

Mr Conlon interjecting:

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

The Hon. M.K. BRINDAL: The advent of Party politics in local government will do it no good at all. If members doubt that, let them look to Laurie Brereton and the experience in New South Wales and say that that is what South Australians want for their local government. This matter is well highlighted, because the electorate of South Australia is sophisticated and intelligent. The electorate is capable of making its own determination at the forthcoming election. I hope they give the member for Elder and others opposite the same success in their electioneering that they got in the recent Federal election. They deserve no less, and I hope the people of South Australia continue to stand up for decent, responsible local government.

Members interjecting:

The SPEAKER: Order! The Minister will resume his seat. I warn the member for Elder for the third time. If the member interjects once more he will be named on the spot.

Mr CONLON: The Minister has deliberately provoked interjections. Are we to sit in silence?

The SPEAKER: There is no point of order. If you are talking about provoking, the Chair is starting to believe that there is a deliberate campaign to provoke the Chair to see whether somebody will be named. I warn members against that course of action.

The Hon. M.K. BRINDAL: I trust that the people of South Australia will look to what is happening and exercise their conscience and their vote in the intelligent way they exercised it at the recent Federal election.

HAMMOND, Dr L.

Mr FOLEY (Hart): Will the Minister for Government Enterprises advise why he is unable to provide details to Parliament concerning the termination payment for Dr Laurie Hammond, given that the Auditor-General's Report tabled yesterday contains full details of Dr Hammond's pay-outs, and given that Cabinet was fully aware of the details of this termination payment. In last Saturday's media the former MFP Chairman, Sir Llew Edwards, stated:

> All negotiations regarding Dr Hammond's remuneration were done in full light of the State Government.

He also stated that Dr Hammond's pay details were considered by Cabinet 'in an open and full manner'.

The Hon. M.H. ARMITAGE: As I have told the House before, an investigation into these matters is occurring. It is fair to say that those are the matters under investigation.

EMERGENCY SERVICES LEVY

Mr McEWEN (Gordon): My question is directed to the Minister for Emergency Services, whom I must compliment on his radio interview this morning. Will the Minister advise the House on the costs involved in collecting the new emergency services levy? On Monday 12 October the Minister advised that Revenue SA would be collecting the fixed property component of the emergency services levy. Given that the component of the levy is a modest one applying to all properties in South Australia, there is the possibility that the cost of collecting the levy could amount to a significant percentage of the levy.

The Hon. R.L. BROKENSHIRE: Like the member for Gordon, and I am sure all members in this House, I am very interested in ensuring that the costs of collecting the levy are kept to a minimum, and that is why after a great deal of discussion and assessment within the office it was decided that Revenue SA would collect all the fixed property income and that Transport SA would deal with the boats, vehicles, trailers, and so on. Clearly this levy and the commitment behind it is intended to improve the emergency services provision of equipment and training, etc., to ensure that we provide the best possible opportunity for the whole South Australian community, and we want to see that the collection costs are kept to a minimum. I cannot give the honourable member the final cost of collection at this stage, but as soon as we get these numbers together I will be happy to advise the

honourable member, whose interest in emergency services I acknowledge.

HAMMOND, Dr L.

The Hon. M.D. RANN (Leader of the Opposition): Will the Premier advise by how much the initial salary paid to Dr Laurie Hammond as CEO of the MFP exceeded the cap placed by Cabinet for the appointment, and in what negotiations was the Premier involved to provide this higher salary to Dr Hammond? The Opposition has been told that Cabinet placed a cap on the salary of the new CEO of the MFP of around $200 000, and the present Premier announced to this House on 6 June 1996 that the initial appointment of Dr Hammond would be for one year at a salary of $245 000. The Auditor-General's supplementary report reveals, however, that two officials of the MFP were each paid considerably more than this amount in the 1996-97 financial year, and the former Chairman of the MFP Board is now on record as saying that the Government was fully involved in matters relating to Dr Hammond's salary. What was the Premier's involvement?

The Hon. J.W. OLSEN: The Minister has indicated the course of action that the Government is following.

GRASSHOPPERS

The Hon. G.M. GUNN (Stuart): Will the Deputy Premier advise—

Members interjecting:

The Hon. G.M. GUNN: You started it. Will the Minister inform the House of the success of the grasshopper campaign in the north and north-western agricultural areas of the State?

The Hon. R.G. KERIN: I thank the member for Stuart not only for the question but also for the interest he has shown in—

Members interjecting:

The Hon. R.G. KERIN: You might say that, but many millions of dollars—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader of the Opposition for the last time. He has no exemptions in the Standing Orders in the eyes of the Chair.

The Hon. R.G. KERIN: It is a pity that the Opposition does not share the thoughts of the member for Stuart, many of whose constituents were facing a very serious problem with grasshoppers. The honourable member has been a regular visitor to the area. The problem we faced amounted to many millions of dollars in terms of the South Australian economy, but that seems to take second billing with some people. It was obvious in September that we faced a huge challenge, and after what we saw last year we realised that we could do things better. There was some angst at the end of last year's campaign between the community and the department, as well as much lack of knowledge of the problem and the best way of tackling it. Some communication difficulties became obvious. We also had operational difficulties, some of which were out of our control. We did have a helicopter go down tragically last year, and a few other things went wrong during the campaign.

At the end of the last campaign, I asked for a review of what had happened and asked that some fundamental change be made to ensure that the community and the department worked much closer together. I asked that a community reference group be formed, and I was very pleased when Malcolm Byerlee, a very highly regarded citizen in the area, accepted the invitation to Chair that group. As a result of the cooperative approach of the reference group, local government, the department and land-holders in the area, there was far more preparation for this campaign than in the past. Policies were prepared to strategically address the problem, and preparatory work took place on a reasonable scale. We also purchased new misting machines and we undertook with local government to ensure that locals were employed who knew the country and knew the problem.

By mid to late September it became obvious that we were facing a major problem in the area with grasshoppers. Unfortunately, those areas affected are areas which over the past two or three years have had poor seasonal conditions. This made the feed available this year very valuable, and the control extremely important. Whilst we were not able to prevent all the damage caused by grasshoppers, certainly this year's campaign saved many millions of dollars of feed, which is very important to that whole region and the State.

A total of 320 000 hectares was sprayed during the campaign, mostly by aircraft. The decision has now been made, in conjunction with the community reference group, to wind up the campaign. Aerial spraying will cease today. Misters and chemicals will remain available to land-holders to clear up some local infestations which remain. Overall, I am receiving considerable feedback that this year's campaign has been an efficient and effective exercise, and I thank Malcolm Byerlee and the reference group, local government (which has been extremely cooperative in the area), the land-holders and the departmental staff involved. It was a great partnership effort, and it shows what Government and the community can do when they work together.

SCHOOL ALARMS

Ms RANKINE (Wright): Given that the Auditor-General's Report states that the Education Department incurred building damage due to school fires of $6.1 million including outstanding claims in 1997-98, will the Minister for Police, Correctional Services and Emergency Services advise whether it is police department policy not to respond to school alarms and, if so, does the Government support this policy? A few days ago, I received correspondence from a constituent in which he stated:

> While walking past the Wynn Vale Primary School during the last week of the school holidays, I could hear an internal alarm sounding in the school. I rang 11444. I reported the alarm to the police officer who answered the phone. The reply was that it was not police policy to investigate alarms in schools. It was up to the police security services division to do so. I requested the officer contact police security services division. The reply was that it was not police policy to contact police security services division, so it was left at that.

My constituent went on to advise that, despite further telephone calls to 11444 to confirm the previous advice, the alarm continued to ring throughout the day and into the night.

The Hon. R.L. BROKENSHIRE: In many ways, I think the honourable member has answered her own question. Protocols are in place. The police security services division responds to alarms; and, if the fire brigade comes out, it works through issues with the police. I would suggest that on a sensitive issue such as this, rather than highlight these sorts of things publicly here, the honourable member might like to write to me so that I can have a close look at the issue. Procedures are in place, but I will provide the honourable member with an accurate answer in relation to this matter.

POLICE MOUNTED CADRE

Mrs PENFOLD (Flinders): Will the Minister for Police, Correctional Services and Emergency Services inform members about the success of the South Australia Police Mounted Cadre horse breeding program?

The Hon. R.L. BROKENSHIRE: This morning, in the beautiful sunshine of Adelaide amongst some great gum trees I had the chance to meet the newest recruits into the South Australian police force. They were accompanied by their nine mothers and their one father—and I refer to the five new colts and the four new fillies that are the first to arrive on the scene with respect to the new special breeding program for the Mounted Cadre.

Mr Foley interjecting:

The Hon. R.L. BROKENSHIRE: Whilst the member for Hart only sees things on the funny side when it comes to policing and wants to throw jokes forward, this is a good news story for the police and the South Australian community. This is the first time since the 1980s that the South Australian police department has been involved in a breeding program of its own after previously looking at purchasing horses through the private sector. But, as a result of the goodwill and support of many South Australians providing first-class thoroughbred brood mares and the excellent support of a Victorian horse breeder who supplied free of charge the magnificent Branigan's Pride (a superb Irish draught stallion), we now have nine magnificent young colts and fillies at Bolivar ready to be trained into magnificent horses for the cadre.

The police department achieved two major aims with respect to the Mounted Cadre: first, it is doing a great job in pro-active community-based policing initiatives through the streets of Adelaide supporting major initiatives in regional areas. A classic case, where the horses are used very well, is an event such as New Years Eve because they are able to move between large crowds to give people the message that the horses and police are there as a security precaution to protect the South Australian community. Secondly, the Mounted Cadre does a fantastic job with events such as the Christmas Pageant, which is another major success for South Australia. South Australians who were lined up along the streets enjoying that day would have seen the magnificent Irish draught stallion, Braggs—which is the nickname of this horse—

Members interjecting:

The Hon. R.L. BROKENSHIRE: And I am sure the member for Bragg might like to adopt this stallion because, just like the member for Bragg, he is a fine looking specimen and very well bred. On a serious note, I congratulate the Commissioner and the Mounted Cadre on the excellent work they have done. As someone involved in animal breeding programs, I point out to members that it is very difficult to get a 100 per cent conception rate and, particularly with thoroughbred horses, it is also very unusual—

Members interjecting:

The Hon. R.L. BROKENSHIRE: No, I am not taking the credit: I leave that to Braggs. It is also unusual to have nine foals born from nine mares. That sort of thing does not happen generally. But, again, it is the professionalism and commitment of this section of the police department that has achieved this wonderful result, and in five years the South Australian community will see these horses doing a great job for the community.

GLENTHORNE

Mr HANNA (Mitchell): What possible justification can the Premier have, apart from sheer political expediency, for appointing a committee to plan the future of the Glenthorne Farm site, which includes the member for Mawson but excludes the member in whose electorate the land is situated?

Members interjecting:

The SPEAKER: Order!

Mr HANNA: Glenthorne Farm was purchased recently by the State Government for $7 million. It is situated entirely within the electorate of Mitchell—whether on old or new boundaries. The only MP installed on the Premier's committee to look at the future of Glenthorne is the member for Mawson. It is not in his electorate at all, but he is a Liberal MP. I have been excluded despite formally requesting to be included. I am the member for Mitchell and I am a Labor MP.

The Hon. J.W. OLSEN: I am delighted to tell the House why the member for Mawson is a member of that committee: it is because the member for Mawson raised this suggestion as an idea for a policy in the first instance. That is why the member for Mawson in conjunction with Mr Greg Trott and a number of other people including Susan Jeanes looked at Glenthorne Farm to determine what could be done with that land. The Labor Party had this issue swimming around for years and did not do anything about it. It is a Liberal Government that has put in place measures to protect that urban open space.

Rather than be petty, as the member for Mitchell has been in his question, he ought to congratulate the member for Mawson for having an idea. If the member for Mitchell is able to generate one new policy idea and one new initiative to the point where it is accepted by Government (State and Federal), we will give consideration to his involvement on that committee.

The Hon. M.H. Armitage interjecting:

The SPEAKER: Order! The Minister for Government Enterprises will come to order.

Mr Foley interjecting:

The SPEAKER: Order! I do not need the assistance of the member for Hart. The pattern is as follows: members are brought to order, they are then given a warning, and after that they are named.

HOUSING TRUST TENANTS

The Hon. D.C. WOTTON (Heysen): Will the Minister for Human Services advise the House of the Government's efforts to encourage Housing Trust tenants to become involved in improving their properties and, in turn, the local environment?

The Hon. DEAN BROWN: The member for Heysen is a keen gardener. He spends a considerable amount of time in his garden of which he is very proud. He tends to have green fingers. I am delighted to say that, today, the awards have been announced for the South Australian Housing Trust Gardening Competition in which 900 people from around the State participated.

Mrs Geraghty interjecting:

The Hon. DEAN BROWN: I'm not sure. I suspect that they were from every part of the State. There was heavy representation from the country. I pay tribute to those 900 Housing Trust tenants who obviously take real pride in and are committed to their garden. This morning I saw photographs of the various gardens, and they are a real credit

to the people who participated. They are some of the finest gardens you will find anywhere in South Australia.

Some of these gardens are very small whilst others are slightly larger. They are a tribute to the tenants involved, especially as they lift the whole image of Housing Trust areas. I am delighted to announce the six winners. First prize went to Mr and Mrs Wells of Strathalbyn; second prize to Marjory Lewis of Penola; third prize to Mr and Mrs Blow of Mount Burr; fourth prize was won equally by Nelson Baker of Morphett Vale and Mrs Sklenar of Salisbury; and sixth prize went to Mr Raymond Boerth of Taperoo.

Ms White interjecting:

The SPEAKER: Order! Interjections are out of order.

The Hon. DEAN BROWN: I again pay tribute to those who participated. I thank them for their commitment to Housing Trust homes. There are many others who participate in maintaining their garden to a high standard. This competition was kicked off by giving away 22 000 plants to Housing Trust tenants (up to two plants per house) to encourage them to spend more time in their garden. I am delighted with the way they are doing so.

YOUTH DRUG TEAM

Ms THOMPSON (Reynell): My question is directed to the Minister for Human Services. When can the southern community expect to see the establishment of a youth drug team to provide clinical assessment and counselling to young people affected by drugs or alcohol as a supplement to the excellent service provided by the one counsellor currently available? On 20 September 1997, the Premier launched the Liberal health policy 'Time to Act—In Partnership with the Community' at the Flinders Medical Centre. This policy promised an $8 million strategy to tackle drug abuse. Included in this was a commitment to a youth drug team.

The Hon. DEAN BROWN: I will have to obtain information regarding the current position in respect of the formation of some of these youth teams. The Government has taken a number of initiatives, particularly with young people. The mental health summit identified young people as the target group, particularly because of their high suicide rate. As the honourable member would know, we have set up a suicide task force of which Professor Graham Martin is the Chair. We are putting a number of other services into place specifically to target that group. I will obtain that information for the honourable member.

NATURAL HERITAGE TRUST

Mr LEWIS (Hammond): My question is directed to the Minister for Environment and Heritage. How much money is being spent by the Natural Heritage Trust during this financial year; does the amount equate with or exceed what has been allocated for its purposes in the budget papers and, if so, why; and how much is being spent on native vegetation retention?

The Hon. D.C. KOTZ: Most members of this House would understand that the Government is solidly behind the protection of native vegetation. It is certainly very high on the list of priorities of this Government. As Minister for the Environment I am keen to promote the cause of conservation. So, it is pleasing to be able to advise the honourable member that an additional $500 000 will be made available over the coming year to build a further 500 kilometres of fencing to protect an estimated 60 000 to 80 000 hectares of our State's native vegetation.

This builds on the work that was carried out last year in which we saw the protection through fencing of approximately 80 000 hectares of native vegetation. Once again, this proves that the Government's commitment not only to the environment but to rural communities has a high priority. This program will also generate employment and use local businesses as suppliers of materials for the fences.

In 1998-99, 21 people (of whom 18 reside in regional South Australia) will be employed directly through this program. Casual employment to the equivalent of two full-time positions in fence line preparation and one full-time position in the processing, supply and delivery of materials is to be created. These people will be employed directly on the project itself. But there is more good news. Further employment opportunities will be created as a result of providing more work for local suppliers and manufacturers of the materials required.

As Minister for Aboriginal Affairs, it gives me particular satisfaction to report to the House that Aboriginal people will also benefit from this State and Federal project. The member for Flinders, who takes a keen interest in all matters within her electorate, will be pleased to learn that two Aboriginal groups on the West Coast of Eyre Peninsula are being provided with the resources to fence hundreds of hectares of homelands in that area.

Combined with employment programs, 14 people are learning practical skills in fencing as well as providing their community with the good conservation outcomes that result from fencing heritage areas. This is just one of the many important environmental projects that South Australians will enjoy as a result of $60 million of State, Federal and community funding through the Natural Heritage Trust in 1998-99.

POLICE, TEA TREE GULLY

Ms RANKINE (Wright): Given the impending introduction of local service areas which will result in the downgrading of the Tea Tree Gully Police Division to subdivision level, will the Minister for Police, Correctional Services and Emergency Services confirm that he will provide the people of Tea Tree Gully with a patrol base in their area? If so, has the Government identified a site, and when can we expect construction to begin?

Nearly 12 months ago, as part of the Government's Focus 21 program—which was claimed to be a vision for the future of policing in South Australia—the Tea Tree Gully patrol base was moved out of the area it services. Despite an increase in the incidence of crime in a range of areas, including robberies, car thefts, drug offences and the like, and despite a Government assurance that a new patrol base would be provided, to date no announcement has been made about when the people of my electorate can expect to have a police patrol base located in the area that it services.

The Hon. R.L. BROKENSHIRE: I note that the member for Wright has an interest in police matters and, therefore, I hope that she will read with a great deal of interest the material that I signed off only yesterday, I believe it was, with respect to this specific issue. The honourable member acknowledges that she has already read that material. Further to that, I have also sent the honourable member some detailed information on the whole of the Focus 21 strategy. It is interesting that the member for Wright always wants to pull

apart all the good work that is being done by the police. I am not sure why the member for Wright wants to pull apart all the good work that is going on with respect to policing in this State: that is a decision for the member for Wright. But what I am interested in, as the Police Minister, with our Government, is ensuring that we introduce in this State the best possible opportunities for modern policing practices. I would recommend to the member for Wright that she look at the positive benefits that will occur for all the people in the northern community as a result of this new structure and model.

In my opinion, the implementation of local service areas is the greatest opportunity that we have seen for policing in recent times. This model has been carefully looked at by a large range of police officers, including the rank and file, and I am pleased to see that—

Ms Rankine interjecting:

The Hon. R.L. BROKENSHIRE: It is right. The member for Wright is wrong. The fact is that this matter that I am talking about is right. Something like 170 officers right across all ranks of the Police Department have expressed an interest in helping to develop this model. A lot of work has been done in looking at the Home Office and policing in the United Kingdom, and we now have a situation where the eyes have been picked out of all the best practices within police forces throughout much of the world and other parts of Australia, including all the very good work that is already being done in South Australia.

I know that some members opposite want to talk this down, but I will continue to talk it up. Local service areas will bring more police into the north and the south, and it is about time that the Opposition accepted it. To give an example, we have seen 30 additional police officers in the southern region alone in the past 12 months. But there is much more good news for the community.

Ms Rankine interjecting:

The SPEAKER: Order! I warn the member for Wright for continuing to interject when she has been called to order by the Chair.

The Hon. R.L. BROKENSHIRE: Thank you for your protection, Sir. When it comes to this issue of local service areas, there is a lot more good news to come. To give an example, again, as a result of the implementation of local service areas, 20 additional police will come into the local service area on top of the 30 in the south. That is 50 additional police coming into that local service area: that is 50 more police than were there 18 months or two years ago. The same sort of situation will be occurring in the north, and the honourable member opposite knows it.

The great part about local service areas is that we will see transparency, integration, more proactive policing, more community policing, intelligence based policing and an opportunity for the highly skilled and trained police officers from the top to the bottom to have an integrated approach to looking after the community in the northern suburbs.

I would have thought that, like other members who have seats in the northern suburbs, this honourable member would appreciate the efforts of the Police Department in developing this model. We are now starting to look at inverted pyramids—

Mr FOLEY: I rise on a point of order, Sir. The honourable member is clearly debating the question.

The SPEAKER: Order! There is no point of order. The Minister is not debating the question, as I interpret it at the moment. The Chair has no control over the length of reply of a Minister, provided he sticks to facts and does not debate the question.

The Hon. R.L. BROKENSHIRE: I would suggest to the member for Wright that she stop giving misinformation to her constituents and send out the material that I, as Minister, send to her.

Ms Rankine interjecting:

The SPEAKER: Order!

Ms Rankine interjecting:

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

COUNTRY FIRE SERVICE

Mr VENNING (Schubert): My question is directed to the Minister for Police, Correctional Services and Emergency Services.

Members interjecting:

Mr VENNING: I like the sound of his voice. Will the Minister outline details of the—

Members interjecting:

The SPEAKER: Order! I warn the member for Ross Smith.

Mr VENNING: —CFS cadet program that plays an important part in recruiting new young members into the service? Summer is almost upon us and we all know the importance of the Country Fire Service and its volunteers, particularly as we are facing a very bad year.

The SPEAKER: Order! The honourable member knows better than to comment when he is giving an explanation.

The Hon. R.L. BROKENSHIRE: I thank the member for Schubert for his question. I know he is very committed to the CFS and he appreciates the good work that it does in the electorate of Schubert. As Minister for Emergency Services, I had the opportunity, on Saturday afternoon, to visit—

Mr Conlon interjecting:

MEMBER FOR ELDER, NAMING

The SPEAKER: Order! I name the member for Elder for continuing to interject when he has been called to order by the Chair on several occasions. Does the honourable member wish to be heard in explanation?

Mr CONLON (Elder): I can only offer my most humble apologies for having transgressed. I had taken a break and I was not fully cognisant of the leniency that the Speaker had already extended to me.

The SPEAKER: It is for the House to determine whether it wishes to move a motion to accept that apology or otherwise.

Mr ATKINSON (Spence): I move:

That the apology be accepted.

The SPEAKER: Does anyone wish to speak to the motion?

Mr ATKINSON: No.

Motion carried.

WOODLEIGH HOUSE

The Hon. DEAN BROWN (Minister for Human Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: Yesterday I was asked a question by the member for Florey concerning the availability of mental health beds in Woodleigh House at Modbury Hospital. I undertook to get a reply for the honourable member.

Healthscope has advised that there were some planned reductions in bed availability during December and January because of annual leave for permanent consultant psychiatric staff and difficulty in getting locum coverage during that time. However, I can now inform the House that a locum psychiatrist has been recruited, and this will significantly alleviate the situation. There will now be only a slight reduction in bed availability between 1 December and 21 January 1999, when 18 of the 20 beds at Woodleigh House will remain open.

JET SKIS

The Hon. DEAN BROWN (Minister for Human Services): I lay on the table the ministerial statement relating to jet skis made earlier today in another place by my colleague the Minister for Transport.

GRIEVANCE DEBATE

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

Mr WRIGHT (Lee): As the local member, I would like to express my concern at the announcement that was made yesterday about the standing down of 250 employees at Austral Pacific. Obviously, this is a matter of great concern not only for the local community but also for the State as a whole. As the member for Lee, I would like to highlight the devastation that this will cause in the local community. Potentially to lose 250 employees from the one work site is obviously a major catastrophe, particularly for a local area but also for the State as a whole. For this to occur in a manufacturing area is something that South Australia simply cannot afford.

I have spoken to a number of employees of this company who are also my constituents. Over the years I have visited this work site on a number of occasions, and since the announcement I have spoken to the General Manager of the company. I have also contacted the appropriate union (the Australian Manufacturing Workers Union) to offer any help that I can give in trying to work through this very serious matter. In the past, this company has had a very sound reputation. Some members may remember this company by its old name, PMC. In fact, I first visited this company when working for—

The SPEAKER: Order! There is too much audible conversation.

Mr WRIGHT: Thank you for your protection, Sir. I remember visiting this work site some years ago when I was working for the then Federal member for Port Adelaide, the late Mick Young, and over the years I have visited it on a number of occasions. I first visited the company when it operated under the name PMC; in fact, some members may remember it by that name. It went into receivership in about 1992 and operated for a while as JRA (Jaguar Rover Australia). In about 1996 Clifford took over this plant.

Like the rest of us, I am unsure about the situation, and I appreciate the Premier's comments today about uncertainty in this respect. The sooner the Premier reports back to us with detail about precisely what we are looking at, the better off we will be, because a lot of rumours and stories are floating about the local community at the moment. One such rumour relates to the other plants around Australia and liquidity problems at the plant in South Australia.

Clifford has four plants Australia wide. Obviously, there is the plant at Royal Park, which is in my electorate of Lee. The company also produces buses at Tamworth. It produces coaches at Geebung, Queensland—

Ms White interjecting:

Mr WRIGHT: Just outside Brisbane. I understand that that plant has shut down as well. It also has another plant at Revesby. I am sure that the member for Taylor will tell me where that one is; it actually refurbishes buses. So, it has four plants Australia wide. I know that at the moment at the plant at Royal Park about 20 units are being worked on and I understand that the plant has a lot of orders to fill. It does somewhat astound me that this plant in South Australia is experiencing difficulties. I know that it has a very highly skilled work force. I feel very much not only for the 250 people who have been stood down but for their immediate families. It is always of great concern when people are stood down from their place of work, particularly as we enter the Christmas period. Anything that can be done must be done. Anything that can be done to assess the problems and to identify whether anything can be done for this company needs to be done—and very quickly. The company we are talking about is the best bus manufacturer in the country. It produces about 25 per cent to 28 per cent of all buses Australia wide.

The Hon. G.M. GUNN (Stuart): First, I refer to how bureaucracy can distinguish itself. One thing that has never ceased to amaze me since I have been in this place is how bureaucracy prevents constructive projects from proceeding. In my constituency is the well-known town of Burra, which has a proud history of supporting the people of South Australia. Like most communities, Burra wants a mobile telephone service. Telstra, to its credit, has determined that Burra shall have one. It was decided that the phone tower would be constructed on the hill above the school. The school was quite happy with this. As I understand the facts, Telstra sought approval through the local council (as it is a heritage town) and undertook the proper process for approval. The matter then went to State Heritage, which undertook its lengthy process. It engaged a cherry picker up on the hill, took photographs and generally distinguished itself with its bureaucratic process.

Then, out of the blue, the heritage department of the Commonwealth in its wisdom became involved in this project. So, Telstra had to re-engage the cherry picker for use on top of the hill and take photographs of 37 locations in the town to make sure the heritage site would not be damaged. But, of course, the bureaucracy being what it is, it was said, 'You have not done this correctly. You should not have gone to the council first: you should have come to us.' I understand that on one occasion they sent back the application so that it could be sent to the right person. In the meantime, nothing is happening. I understand as well that they need the assistance of Environment Australia. I passed on to the Federal Minister's office in plain Australian terms my view.

However, the story gets even better. I am told that the bureaucracy is concerned that, if there is a road to the site, the pygmy blue-tongue lizards may be run over. I have never heard of pygmy blue-tongue lizards. I wish the lizards would

attach themselves to a suitable part of the anatomy of the honourable gentleman who would not come from Canberra to inspect the situation. I am told that the gentleman in the heritage department in Canberra who had to make the decision would not compromise his position or visit Burra to have a look. All and sundry have been there already. This is the sort of bureaucratic nonsense which is holding back the country. It is hard enough getting it through—

Mr Clarke interjecting:

The Hon. G.M. GUNN: Well, I decided it was too good a story not to tell.

Mr Clarke interjecting:

The Hon. G.M. GUNN: I decided that, as I received counselling last Friday, I would pass a few brickbats around, because it really was too good a story not to tell. If we are to stop installing telephone towers because of blue-tongue lizards, heaven help me: what has the country come to?

The second matter to which I draw attention relates to my constituents at Robertstown who are concerned that, although the road from Robertstown to the Burra to Morgan Road was recently sealed (much to my pleasure and that of the member for Schubert—an excellent job), thanks to the good will and initiative of the Minister for Transport, the road which links Robertstown with Burra and which carries a considerable amount of traffic needs to be sealed. I understand that the Minister is aware of this project but that, due to the inadequacy of funds, we cannot seal every road at once—even though this State Government has committed more money to rural arterial roads in the last five years than was committed in the last 15 years. My constituents have pointed out to me that this road carries a lot of trucks and is used by the ambulance and various other vehicles. I actually drove along the road last Friday. I support their call and sincerely hope that in the very near future the Minister will be able to see a way to resolve the position.

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

Ms WHITE (Taylor): I raise with members of this Parliament a very serious issue, one affecting my constituents, particularly those living in the Paralowie and Settlers Farm suburbs of my electorate. It is an issue that further reflects the scorn with which this State Liberal Government treats the people of the northern suburbs. Since being elected I have lobbied this Liberal Government to upgrade Kings Road at Paralowie between the Bolivar and Martins Roads intersection.

An honourable member interjecting:

Ms WHITE: It is a disgrace, as the member for Napier says. Ever since I have been lobbying the Transport Minister, I have been given deadlines that have been extended and extended, but the most recent advice from Minister Laidlaw, the Transport Minister in another place, is that even though it is a priority it will not be done until 2001-2. This is despite advice from Salisbury council, a very large council, confirming with me on Friday that Kings Road is the highest priority arterial road that needs upgrading in its council area. It is the highest priority, yet this State Government is treating those residents with scorn. I am one of those residents, living at Paralowie, and every day I travel along that section of arterial road. Kings Road has changed from a semi-rural road servicing market gardens over the past 10 years to an arterial road for a rapidly expanding suburb of Paralowie: so much so, that in November 1991 responsibility for the maintenance of that section of Bolivar Road to Salisbury Highway passed from Salisbury council to the Department of Transport, but that is when the problem seems to have started because the State Government has neglected this area and its residents.

There are huge problems involved: there are dust and mud problems due to the narrow carriageway; there is much difficulty with buses and heavy traffic using the road without appropriate servicing; and it is not even a straight road—the road is curved. Heading west, you cross the Little Para River, with one lane each way, and straight away you have to curve around and almost hit cars turning right into Whites Road. There are also problems at the Liberator Drive and Bolivar Road intersection, where the local school is particularly concerned about the safety of children travelling on those roads. I have details of the accident reports concerning that road over recent years. These accident reports, which are dated, reveal that between 1990 and 1995 there were 381 accidents on that stretch of road, three of which accidents were fatalities, and at least a third of the accidents involved personal injury. There are 18 intersections along that section of road. It is a very dangerous road and I have a figure from 1997 showing that part of Kings Road about which I am most concerned, from Martins Road up to Bolivar Road, has an average daily traffic count of 16 000 cars.

The council cannot do any work on the road because it is waiting for the State Government to widen it, which makes putting in footpaths, etc., futile. In a letter from Minister Laidlaw in January 1997 she said that there are 'definite plans to upgrade it in 2000-01', that is, after having allowed that target to slip further away. This year in July she said that the work may be done in 2001-02 subject to the availability of funds. The people of the northern suburbs and of Taylor are getting the run-around from a shoddy Government which scorns them.

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

Mr CONDOUS (Colton): I wish to speak about a couple of changes made to the taxi industry in the past few days, involving the Minister's decision to allow hire cars to operate and be able to be hired by people by hailing those cars in the street and being able to get into them. The reason that I am pursuing this matter so strongly is that the taxi industry is made up of 75 per cent of people of various multicultural and ethnic backgrounds and, as the parliamentary secretary to the Premier on this issue, I believe that they should at least have a voice in this Parliament.

Members have to realise, and it needs to be put on the record straight away, that in order to get blue plates a person simply goes to the Passenger Transport Board and pays $50, gets a set of plates and puts them on their car, and they can then take Joe the Goose or anyone else around the town and get a decent fee for it. To get a taxi plate one has to pay somewhere between $158 000 and $165 000. Here, we are allowing someone who has paid $50, who has paid nothing for goodwill and who has paid no premium fee, to be for two days of the year on an equal footing with taxis, other than not being able to stop at a rank. Starting off with two days, will it then increase to three or four days and then become like a cancer and, before we know what has happened, grow to 25 or 30 days of the year?

We have to realise that taxi drivers work for somewhere between $6.50 and $8 an hour. What other industry sits by and allows its workers to be violated, mugged and abused as happens in the taxi industry? I have spoken to members of the taxi industry who have said that they do not mind this

operation being carried out on New Year's Eve, because they know that they cannot cope. However, they cannot see the reason for the decision involving 18 December. Last year at this time a net of police using breathalysers was placed around the city and, when people found out what was happening, they left their cars in the car parks and on the streets and tried to get a taxi home rather than taking the chance of going through a breathalyser.

I am angry about another matter also, and I am going to name the Senior Enforcement Officer for the Passenger Transport Board, Chris Melvin, who has employed Chubb inspectors to threaten—

Mr Koutsantonis: It's the Minister.

Mr CONDOUS: Do not get political. Those inspectors have been employed to threaten taxi drivers that, if they do not remove from the rear of their cars the signs condemning the blue plates, there will be repercussions. I thought that this was a democracy and that we had the right, if we did not believe in a decision of this country, to demonstrate against it. If I, as a taxi driver, wanted to exhibit a sign indicating that blue plates are scab cabs, I should have the right to do that. If I want to put a sign in my car saying, 'Blue platers are cheap entry', I should be able to do so, because they are a cheap entry: they are a $50 entry into the business of taxi driving in another form. Meanwhile, taxi drivers mortgage their homes, borrow the necessary $160 000 and go out and work for about $8 or $9 an hour.

The decision taken in this matter is an utter disgrace and should be reconsidered completely. I have no objections to its applying to New Year's Eve, but that should be the only day, because of the huge pressure and demand occurring on that day. The taxi industry has to be protected. It is an important industry for tourism and plays a very important part in terms of welcoming many visitors from all over the world to this State and city. If members think that our taxi drivers are rough here, they are not: they are good taxi drivers. Catch a cab in Sydney and see the treatment you receive and the filth of the car. Our taxi drivers have to put up with abuse from people who are drunk beyond belief and who in many cases, as the member for Peake would know, vomit in the car, requiring the driver to pay $80 to have it cleaned up.

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

Mr KOUTSANTONIS (Peake): If the member for Colton actually believes that the public servant who has been named in Parliament without being able to defend herself is responsible for hiring Chubb security guards to intimidate taxi drivers, then, in the words of the member for Elder, I have a bridge I would like to sell the member for Colton. I can tell the member for Colton that the directive has come from the top, from the Liberal Minister, Ms Diana Laidlaw. The Government's Passenger Transport Board released figures on Sunday about the number of complaints made by passengers using taxis. The report shows a total of 1 135 complaints lodged in 1997-98, just 17 more than in the past financial year, 1996-97. The report, rather than defending South Australia's taxis, casts a gloomy shadow over the industry. I would have thought that the Minister would be shouting from the rooftops defending our cabbies but, instead, we have had silence from the Government. An interesting point that seems to have been ignored in the report is that, of more than 8.2 million people who used taxis in 1997-98, only .01 per cent of those people found our cabbies wanting.

So, let us just break down the series of complaints the Government is so upset about. Of the 1 135 complaints, 165 complained about overcharging, amounting to a total of .004 per cent of complaints. Only .000021 complained of sexual harassment, .004 complained about smoking in a taxi, .0002 per cent complained about driver appearance, .008 per cent complained about attitude, .00096 per cent complained about booking problems, .00121 per cent complained about abusive or rude behaviour, .00156 per cent complained about late service, and .00171 per cent complained about dangerous driving. That is not bad. Could you imagine any other company, business or Government department which carries or deals with 8 million passengers or clients in one year and which receives only .01 per cent complaints from all those passengers, out of 8 million? It is not a bad record: probably the best in Australia, if not the best in the world.

Over the past five years this Government has disappointed and let down the taxi industry. In an article in the *Sunday Mail*, the reporter Brad Crouch paints a very different picture. A report by the University of South Australia Transport Systems Centre showed that passengers were waiting an average of six minutes. The longest average wait was eight minutes at the Adelaide Casino, where people were forced to queue. So, overall the taxi industry is providing a better service and doing it better and faster than in any other State in Australia.

But the down side is that wages and turnover are down, and so are telephone bookings. The average shift wage is about $152.83. That means that a driver is taking home $76.40—that is, over a 12 hour shift, $6.36 an hour. So, taxi drivers are providing a fast, safe and reliable service for $6.36 an hour, and now the Government wants to make them compete with hire cars, whose costs to set up are $50 for a hire car blue plate, police clearance and a licence fee. The cabby has to complete a five day driver training course costing over $400, obtain medical and police clearance, buy a taxi plate worth over $150 000, buy a new vehicle radio fitted with the global positioning system (GPS) and a meter, and pay over $1 000 in registration fees, which this Government has decided to tax them.

These two industries are not competing on a level playing field, as I said yesterday in my contribution to the grievance debate. This Government is going after the taxi industry with a blowtorch. I cannot understand why the Party of small business has let down every single cabby in South Australia: there is no reason for it. Sending out Chubb security guards to harass and intimidate small business over what they are displaying on their shop front is an outrage in any democracy. This is the sort of thing we would see in a third world nation where a dictator rules, not in a country such as Australia where we have a democratic system. I do not remember the Government complaining about taxis displaying 'Bannon Blunders' stickers in 1992-93. Then Minister Barbara Wiese never instructed cab drivers to remove those stickers; she understood the need for freedom of speech, but this Minister forgets it.

Mr VENNING (Schubert): I rise today to speak about what I believe is a very serious problem in my electorate of Schubert and particularly in the Barossa Valley and regions. It involves several issues, but taking one course of action would rectify them. It concerns new employment opportunities, expansion of industry and—the most serious—the tragic road toll, which is not decreasing in this State, particularly in the Barossa, which has a very poor record in relation to the

road toll. This could all be fixed by one course of action, and that is the upgrade of what is locally known as Gomersal Road. The upgrade of this road would take heavy vehicles, semitrailers and B-doubles from the many minor roads in the Barossa. It would provide a direct route from Sturt Highway just north of Gawler right into the centre of the Barossa, just south of Tanunda. It would take most of the commercial traffic off the tourist roads. This would obviate the need for these heavy B-double types of truck, with loads of up to about 50 tonnes, to travel the whole length of Barossa Valley Way, through Nuriootpa, Tanunda, Lyndoch and the centre of Gawler and out onto the highway, causing problems in the Gawler main street. It would then reserve the narrower roads for the slow-travelling sightseeing tourists.

I know that people have been talking about using rail but, when we are talking about the wine industry and the rapid delivery of wine, that industry does not and cannot work on any lag period or the delays caused by rail. Rail can certainly be utilised for the delivery of less urgent goods, that is, barrels and bottles, but it cannot meet today's demands for next day or just-in-time deliveries, with the cost of the three handlings. Also, with the change of rail gauge, if freight were put on the train in Tanunda it would have to change trains here in Adelaide, because it is broad gauge in the Barossa and standard gauge here.

Industry demands cannot wait for the wine to be transported by semitrailer or a B-double to the rail freight yard and reloaded, then to wait in the heat and be picked up by locomotive, then delivered to Adelaide and then transhipped. It could well take two days to get to the port. The wine industry needs the fastest and most efficient methods of transport, hence the roads. Freight is ordered and loaded in the morning, put on a truck and is at the port and unloaded that afternoon and loaded onto the ship or plane ready for export and can be at the destination next morning. For the wineries this takes a lot of the hassles out of marketing the product. That is what the industry wants, and that is what we have to provide.

Another issue is that not only do we need Gomersal Road upgraded now to handle present demands but also we definitely need it for the future. We have seen phenomenal growth in the wine industry in this State, particularly in the Barossa, where an estimated 60 per cent of the State's grapes are processed. Exports have already risen from under $92 million to $563 million in the past five years and they are continuing to surge. One only has to drive around the wine regions of the State to see the massive plantings of vines. More vines mean more wine, more processing, more barrels and more bottles, which all have to be stored and moved on.

BRL Hardy's Technical Director, Mr Angus Kennedy, has calculated that 20 000 direct and indirect new jobs will be created in the next five years, so that is a very good statistic. Some 700 new jobs will be created in the Barossa alone in the next 12 months, let alone what will happen over the next five years. The industry is investing or seeking to invest heavily in equipment to handle the extra grapes flowing in and in massive new insulated wine storage. This storage needs to be sited near roads accessible to heavy vehicles. The present uncertainty is causing great concern and pressure on me as the local member. This storage adds up to millions of dollars, at least 10 times more than the upgrade of this road would cost.

The final and most serious issue is that of the ever increasing road toll. Only yesterday the Minister for Police, Correctional Services and Emergency Services (Hon. R. Brokenshire) spoke to the House about the ever present tragic problem of the road toll and the measures taken to curb it. Barely a week goes by without my hearing about a most serious road accident or a tragic fatality in the Barossa. I believe that upgrading the Gomersal Road will go a long way towards diminishing the growing problem we face. If one life is saved then it is undoubtedly worth it.

PUBLIC WORKS COMMITTEE

The Hon. R.G. KERIN (Deputy Premier): I move:

That the committee have leave to sit during the sittings of the House this week.

Motion carried.

PUBLIC WORKS COMMITTEE: QUEEN ELIZABETH HOSPITAL

Mr LEWIS (Hammond) to move:

That the eighty-second report of the committee on the Queen Elizabeth Hospital intensive care redevelopment be noted.

Mr Venning interjecting:

Mr LEWIS: Let me tell the member for Schubert that we have 11 matters to report to the House, and we have been working about five times longer than his committee every week for the past several months. In this instance the motion before the House is that the House note the eighty-second report of the Public Works Committee, which is a follow-up report on the Queen Elizabeth Hospital Intensive Care Unit. It does not really relate to the Queen Elizabeth Hospital as such. I seek your advice and guidance, Sir, on how the committee, relevant to the information given to it by the Department of Human Services in response to inquiries the committee made, can move that the House adopt our recommendations, given that the motion before the House is simply to note the report? Is it possible for me to move that the recommendations of the committee be adopted?

The DEPUTY SPEAKER: Does the honourable member seek leave?

Mr LEWIS: Yes, Sir.

Leave granted.

Mr LEWIS: In noting the report, I move adoption of the recommendations:

That the Government exploit the window of opportunity available and conduct feasibility studies using business incubator techniques to determine whether surgical non-soft product can become both import replacement and export new business for South Australia, and to act urgently to ensure that South Australian businesses will be in a sound position to be highly competitive both nationally and internationally when the protection currently afforded to the Australian market is abolished.

The reason the committee makes this recommendation to the House is, quite simply, that we found that 90 per cent of non-soft products used in our hospitals, in particular in our surgeries in South Australia, are acquired from overseas. About 90 per cent of what we use in our hospitals and surgeries is imported, yet we are a smart society—there is no question about that from any quarter of politics in this State—and we have some outstanding examples of it. We have outstanding world's best practice and leading edge technology in our foundries. We also have metals finishing technologies which again are world's best practice and leading edge, yet we have not developed the industries which

manufacture millions of dollars worth of non-soft surgical equipment, that is, hard product, that we use.

It strikes me in consequence—and I am sure that all honourable members would agree—that we are missing out because there are jobs to be had from the manufacture and assembly locally of such equipment, and existing technologies and training courses are available within TAFE and engineering faculties within our universities to provide people with those skills. Indeed, people already have those skills; all we have to do is establish the enterprise.

The reason for the Public Works Committee making this proposition to the House is that, whereas we would normally expect an industry itself to lobby us as members of Parliament for such assistance, there is no such industry for this product. So, how it can it lobby us for its own establishment? It is very much like the aquaculture industry in South Australia 20 years ago: it did not exist, but somebody had to see that it could exist and see what enormous economic benefits there were in establishing it not only for the sake of providing for our own consumption and needs but also, and more importantly, to establish it to sell the product outside the State and overseas to improve our balance of payments and in so doing also provide extra jobs for South Australians. We had, in the case of aquaculture, an outstanding environment—climate, site and so on, and other input factors for that industry to be established. We also had cheap land and clean and sound sources of food available for the commercial species. We have now established an aquaculture industry and it is going gang-busters, and the number of species is increasing.

I say to this House on behalf of the Public Works Committee that we could do the same thing now in manufacturing, by producing in South Australia the surgical instruments products that are used by South Australian and Australian hospitals and clinics. That becomes then import substitution and, more particularly, once we go into that level of production I am sure that our producers will find that they can also match it with the best worldwide, because we do not have high costs of production of such high-tech equipment; and, in addition, we have the means of procuring the raw materials at very competitive prices.

We need the skills required for foundries, for drop forge casting and for metals finishing, that is, the same skills used in tool making and in finishing mag alloy wheels and the like. Sure, the surgical equipment will be made from different alloys of stainless steel and the like, or maybe non-ferrous metals, but all those skills are currently taught here. All we need to do is encourage some young university graduate or some other bright entrepreneur, like a gentleman that you and I both know, Sir—Quentin Moore of Murray Bridge.

Quentin Moore has finally won the right—and he is respected for that victory—to build fire trucks for the S.A. Country Fire Service in Murray Bridge. He is a man without academic qualifications, even to the level of matriculation, yet he can not only read other people's engineering plans and understand what is written in specifications about alloys, tolerances and so on but indeed he makes his own plans and will do the research necessary to come up with the best possible materials with which to make the equipment. He is beating the interstate people who tender to supply fire trucks and other emergency services vehicles and is now into export. It can be done and it does not require a university education. There is a man with an outstanding intelligence who was bored witless by school as it did not challenge him adequately, and he is now running a very successful business.

I say to all members of the House that the Public Works Committee saw a window of opportunity and, rather than simply sticking to our knitting and rubber stamping the propositions that come before the committee—of course, this committee does not do that—we went the extra yard to get the information from the department about the current state of supply in the marketplace and considered whether or not it was competent for us to make a recommendation through the House to the Government to get this new industry established.

The industry will be worth tens of millions of dollars in import replacement alone. Now is the time to go into the business before the protection provided to Australian producers prior to existing arrangements is taken off. It is a protection for an industry that ought to be started but has not been started because no-one has taken the initiative. It is a protection that I am sure the people in Canberra provided in the belief that someone could and would take the initiative. In view of the fact that it has not happened in any measure, I say to the House—and the committee recommends to the House with this proposition and through the House to the Government—that we set about using business incubator techniques, such as the precinct at Thebarton, in which young and capable people who want to become entrepreneurs can find office space and initial manufacturing facilities to get started, and in so doing begin to put out some of the greater value, greater volume—either or both—products required by Australian consumers and get themselves a connection with those consumer buyers, whoever they may be, wherever they may be, and expand the number of items in their range from there. We need to use that business incubator technique to go into this enterprise because I do not see any other way of doing it.

The last remark I want to make concerns the reason why this new industry is so beneficial in prospect for South Australia: it is because our Department of Trade and Industry has already recognised the very high standard of excellence that Dyanek has in its products sold world-wide and now worth tens of millions of dollars. Whereas the State Government is encouraging the introduction of soft products into the world market similar to that produced by Dyanek and other allied manufacturers, it makes perfect sense to add to the dimension of the product by making the non-soft product a part of what is sent away in trade promotions and offered, with the assistance of our State Department of Trade and Industry, to the world's markets and the world's consumers at no great additional cost.

We are already meeting these overhead costs in assisting the soft product penetration of the world market. We already have an established reputation for excellence and quality; and for that reason, if for no other, we ought to add this additional dimension of the range of non-soft surgical products and become famous almost immediately in the world marketplace for supplying this kind of material. If we do not do it, somebody else will. The window of opportunity is now, as trade barriers across South-East Asia are coming down following the insistence of the International Monetary Fund on market reforms in those countries and in those economies.

As they recover from their recession or depression, they will have a rapidly increasing demand which, if we supply it, will establish our industry at exactly the right time in the marketplace to grow as demand grows proportional to the rate of growth of demand, without the need to rub someone else's name out of the order book and put our own name there. The opportunity is now: it is not next year and it was probably not

there two or three years ago. It is for that reason, on behalf of the committee, I commend the proposition and the recommendation to the House.

Ms THOMPSON secured the adjournment of the debate.

PUBLIC WORKS COMMITTEE: AUSTRALIAN ABORIGINAL CULTURE GALLERY

Adjourned debate on motion of Mr Lewis:

That the eightieth report of the committee on the Australian Aboriginal Culture Gallery be noted.

(Continued from 4 November. Page 187.)

Ms THOMPSON (Reynell): I am pleased to speak in support of the committee's report relating to the Australian Aboriginal Culture Gallery project. This project has the potential to be very exciting for the local community and very valuable in terms of offering an important additional tourist attraction to the visitors to our State. We are looking at establishing an anthropological museum, and the research presented to the committee indicated that anthropological museums have their own following—almost like the *Ring*. I think there are only five anthropological museums in the world at present, and there are tourists who will travel to those museums in order to enjoy and investigate the societies on which our communities are based.

I have had the pleasure of visiting the Anthropological Museum of Mexico on two occasions and, in fact, the presence of that museum was the main reason for my return visit to Mexico City. So, I most sincerely hope that this will be very much the experience of the South Australian gallery, which is a national gallery. As most members would be aware, the South Australian Museum has a unique and extensive collection of Aboriginal artefacts. The challenge has been to decide how they can be best used to the benefit of the Aboriginal community, the South Australian community and the world community in gaining some sort of access and insight into this important world culture that we have located in Australia.

The work that the museum has done in consulting with the Aboriginal community to ensure that the new display and the concept of the gallery is compatible to their traditional needs has been extensive, and the way in which the cooperation has been forthcoming is very much deserving of the thanks of the South Australian people because, if all goes according to plan, we all will benefit from the presence of this museum. I would like to acknowledge some of those who have offered their support. Harold Furber, the Assistant Director of the Central Land Council has written:

> Thank you for your letter and the material on the proposed Aboriginal Cultures Gallery at the South Australian Museum. It looks to be an exciting concept. It would be good to see a greater range of items from the museum's collection on permanent display. It also would be good to see the museum take up and present the intertwined themes of Aboriginal culture and country. We applaud your endeavours and wish you every success.

A very famous name in Yothu Yindi has also offered its support through Britta Deckel, an assistant, who writes:

> Dear Sir, I am writing in relation to your fax from 7 May 1997 regarding the new Aboriginal Cultures Gallery. Mandawuy Yunupingu indicated his interest in supporting the gallery and I thought I would just touch base with you. Please accept my apologies for the delay in response.

An extensive list of organisations and people have been consulted in the development of the gallery and, again, I would like to acknowledge some of them: the Ngarrindjeri Heritage Committee; Kirstie Parker, Director of Tandanya; Katrina Power, Chair of Tandanya board; the full board of Tandanya on three occasions; Paul Ah Chee, Director of the Aboriginal Arts and Culture Centre, Alice Springs; Dolly Grinites Nampijinpa, Warlpiri Elder and head of the Warlpiri Women's Council; members of the Wujal Wujal Community, North Queensland; Noel Pearson, Executive Director of the Cape York Land Council; Mangkaja Arts Resource Agency, Fitzroy Crossing, Western Australia; Colin Dillon, ATSIC Commissioner for Kimberley; Tenant Creek Elders; the Koorie Heritage Trust of Victoria; and the Western Australian Arts Department (Aboriginal Affairs Section).

In fact, 120 organisations and people have been consulted; I selected from them merely to indicate the breadth and depth of the people who have offered their support and guidance in the development of this gallery. We seek to establish a national gallery. Support from New South Wales, Queensland, the Northern Territory, Western Australia, Tasmania and Victoria is important to our ability to do so. The proponents of the project have developed an innovative exhibition which will enable people to examine the artefacts in the context of a theme. A number of electronic devices will allow interaction. I must say that, at the moment, I do not understand the full excitement caused by these devices, but I am sure they will be very interesting.

It is necessary to acknowledge the many sponsors who have made possible this project, the cost of which has not been met entirely by the public purse. A number of major companies and individuals in our community have indicated their willingness to contribute substantial sums to this proposal. However, at this stage, I do not wish to name any of them as their consent has not been sought.

I want to raise a couple of issues in respect of this proposal. I refer, first, to the title to the land. The gallery sits on land which almost by common use belongs to the people of South Australia. There is still a need for the Department for the Arts to clarify the issue relating to the title. Similarly, we have urged that the name of the gallery be registered. This is an important collection which we want to be known nationally and internationally as the Australian Collection. It is therefore important that we protect the name of this gallery as a significant investment for our community.

Another important issue that will be of interest to a number of people in the community is the whales. Children in this State well know the whales that flank the entrance to the museum. As the extensions to the museum and the location of the gallery involve considerable work around that area, there is the vexed question of what to do with the whales. The committee suggested that, whilst the whales could be moved, they could not be removed and still enjoy the support of the people of South Australia. That is a long winded way of saying that our children would not like it if the whales were taken away. The committee strongly urged the proponents to ensure that the whales stay.

We have not seen the plans for the final presentation of the frontage of the gallery as there was some rethinking and redrafting at the last moment. This means that the committee is in no position to comment on the suitability of the facade and its ability to integrate with the rest of the environment on North Terrace. However, we are confident that the proponents will come up with a facade that is entirely suitable for the location.

Motion carried.

PUBLIC WORKS COMMITTEE: MODBURY HOSPITAL

Adjourned debate on motion of Mr Lewis:

That the seventy-ninth report of the committee on the Modbury Hospital redevelopment be noted.

(Continued from 5 November. Page 222.)

Ms THOMPSON (Reynell): The Modbury Hospital redevelopment is of an entirely different nature from the Aboriginal Culture Gallery. The member for Elizabeth has spoken extensively on this issue, but I want to add a few brief points. First, whilst the development is clearly needed, particularly in respect of the obstetric and gynaecological facilities—which are antiquated and must have been antiquated in the 1970s—and the operating theatres, the committee was frustrated throughout its investigations by delays in obtaining information.

On 20 May we visited the site and began our formal investigations into the proposal. We requested considerable additional information which, unfortunately, was slow in coming. That information related particularly to our investigation of claims raised by the community as to whether the two floors that have been made available for the Modbury Private Hospital development are really available for private development or whether in the near or medium term future they will be needed for the public hospital.

The committee was of the opinion that demographic projections lined up against knowledge of current trends in health care would be readily available to enable the decision of the hospital to lease two floors to the private sector to be readily substantiated. Therefore, it was very disappointing that it took until close to the end of August to get any further information. That information lacked clarity, and we had to convene a second hearing on 2 September in order to clarify this point, which I saw as being quite basic in terms of the decision to lease two floors of the Modbury Hospital building to the private sector.

The Speaker signed the report on 30 September. After we had heard the second lot of evidence, we wanted to be sure that there would be no further delays as we had been told again and again by the hospital that the matter was urgent. It was therefore with considerable surprise that I learnt earlier today that it appears that still no tenders have been called and no contract let.

This raises concern about the administrative processes in the Health Commission, particularly in relation to Modbury Hospital, regarding, first, whether it is able adequately to support this fairly important decision with documentation and hard evidence and then whether it is able to proceed to implement the project. We are told that the matter is urgent, and our observation of some of the facilities at the hospital indicates that that is so. So, I express concern about the management of the project to this point.

We hope that the project will soon proceed so that the people of the northern suburbs are able to enjoy a first class facility. We note this particularly in the context of the crowding of the facilities at the Women's and Children's Hospital and the requirement being withdrawn for people from the northern suburbs to use the facilities in the north. Many of them are choosing not to use Modbury Hospital at the moment, particularly the obstetric facilities because they are so grubby and poorly designed in today's context. It is most urgent that this work go ahead and that the people of the north be provided with updated facilities particularly for obstetric care.

Motion carried.

PUBLIC WORKS COMMITTEE: SOUTH COAST DISTRICT HOSPITAL

Adjourned debate of Mr Lewis:

That the seventy-eighth report of the committee on the South Coast District Hospital redevelopment be noted.

(Continued from 5 November. Page 223.)

Ms THOMPSON (Reynell): I have spoken briefly on this matter and pointed out that, during the course of our inquiries at the South Coast District Hospital, the committee investigated the protection of the water supply for country hospitals and the availability of emergency power facilities. The Public Works Committee has developed the practice that when, in the course of its activities, it identifies something relevant to other public works—as in the earlier case today, with respect to the development of the State—it draws it to the attention of the House. In this case, the committee members choose to do so simply by means of debate rather than by any form of recommendation.

In its investigations of the South Coast District Hospital—an eminently suitable proposal, and a facility that is very well managed—the committee asked how many hospitals that have become incorporated under the Health Commission and, therefore, represent some risks to the public purse, are not isolated and protected by non-return valves. The response from the Health Commission reads as follows:

> In compliance with the current Building Code of Australia (BCA) and AS/NZ 3500 Plumbing and Drainage Code, all new buildings are required to be installed with back flow prevention devices as part of the building certification process.
>
> For most of the major metropolitan hospitals compliance only exists where there have been development works of recent years. As redevelopment proposals are progressed compliance is addressed across the site progressively. Most metropolitan sites have planned redevelopment processes.

There is an incorporated table that indicates the current situation. That shows that, in fact, only two of the metropolitan hospitals have complete protection in this way: the Adelaide Dental Hospital and the Gawler Health Services. Some buildings of other hospitals have protection, but there is clearly a need for this matter to be addressed.

In the country there is a similar situation, where newly developed hospitals, such as at Mount Gambier, Port Augusta and Port Lincoln, are complying with the code. The Health Commission response continues:

> The majority of smaller country hospitals utilise overhead water storage tanks and gravity feed systems to supply cold water. These systems are low pressure and incorporate a clear air break between the SA Water supply and the hospital systems. This is deemed satisfactory until the hospital undertakes any significant upgrading when complying back flow prevention installations will be required. Where the table indicates that anti-back flow is required upgrade will occur on a priority basis as funding permits over the next two to three years.

It seems that, of all the country hospitals, there are 11 that require upgrading in the near future. They include: Coober Pedy, Gumeracha, Leigh Creek South, Lower Murray, Mount Barker, Murray Bridge, Naracoorte, Oodnadatta, Whyalla and Woomera. I am sure that the members representing those areas will be interested to ensure that the appropriate water supply protection systems are introduced urgently.

The other question that the committee asked related to the backup energy supply. We were informed that all but one of the 64 country health units are provided with backup emergency power generation or are part of a wider backup system, Leigh Creek South being the exception. However, of those 64 country health units, 22 are under capacity to be able to fully meet an emergency. So, again, there is a situation which needs attention—probably the vigilance of the local members as well as the good offices of the Health Commission. However, I noted that, at a time when we are looking for immediate opportunities for work, this provides some opportunities in country areas for skilled trades workers, who often find it difficult to obtain work in the country, to undertake some very important community work. That is all I wish to say on this matter. As I said earlier, the proposal was found to be sound, needed and well conducted.

Motion carried.

SOCIAL DEVELOPMENT COMMITTEE: GAMBLING

Adjourned debate on motion of Hon. R.B. Such:

That the eleventh report of the committee on gambling be noted.

(Continued from 18 November. Page 280.)

Mr CLARKE (Ross Smith): Much that I would have said on the report has already been said by other speakers, so I will try to keep my comments brief. Having had an opportunity to read the report—although not all of it—I congratulate the Social Development Committee on the work that it did and, by and large, I do not have any particular objections to its recommendations. However, I have some, and I will mention them.

It has been my view for some time that the criticism that has been levelled at the poker machine industry by certain interest groups within our community has been, by far, too vociferous. The so-called ill-effects of poker machines—and we certainly know that there are some, in the sense that it is patently obvious in electorates such as mine that a number of people have suffered in that they are problem gamblers, and the impact that that has had not only on themselves but on their families—are undeniable. But the fact of the matter is that for many businesses to blame their failure on poker machines and on people who play the poker machines is stretching a long bow.

I note in particular that Mr Bob Moran, the running mate of the Hon. Nick Xenophon of the No Pokies Party at the last State election, blamed the loss of his car business on poker machines. I said at the time that I did not believe it, and I do not believe it now. I believe that there is a whole host of reasons—which I will not go into at this point in time—as to why his business failed. But the thought that a couple of old pensioners going down to the local pub and playing the poker machines, spending their $20, was the cause of the loss of his business is just to stretch credulity to the outer limits—as virtually every other honourable member in this House knows.

A number of people are critical of poker machines but, strangely, are silent on the TAB or betting on the horse racing industry. They regard that as a noble art. I am not a gambler of any great note in anything, quite frankly—other than, I suppose, if you take politics as being one great gamble. But regarding those people who favour the horses, I do not see them rising up in protest or high dudgeon over the immense advertising campaigns that the TAB in this State has launched over the past couple of years to try to encourage more people to spend money on the TAB, X-Lotto or other forms of legalised gambling. At least, with respect to poker machines, they are contributing directly to the Gamblers' Rehabilitation Fund, which other forms of gambling do not. In addition, they have also created, in terms of hotels and clubs, hundreds of millions of dollars of investment, jobs and also the opportunity for people to relax in hotels that they would not otherwise have gone to. I know that many of the more senior citizens would not have gone into a number of the hotels in my electorate for many years because they were generally run down. They did not offer meals, and the type of clientele that they attracted was off-putting to women and to senior citizens in particular.

Mr Koutsantonis interjecting:

Mr CLARKE: There were a couple of hotels in my electorate that specialised in that area at one stage as well.

Mr Koutsantonis: How do you know?

Mr CLARKE: Only because the staff have told me of that—that if, in fact, they lost their poker machines, they would have to go back to the bad old days of topless waitresses and topless barmaids, and the like, and I was almost going to reconsider my view as a result. But, in any event, those hotels have been significantly upgraded with respect to their decor and the like. I notice that, at a number of hotels in my electorate which I visit and at which I have meals with my family, many senior citizens and family groups enjoy a cheap meal—they are not bad quality meals for the price you pay—a few drinks and even have a flutter on the poker machines.

I do not see anything wrong with that. I know that our taxation regime is regressive, that it applies irrespective of one's level of income and that, by and large, those who tend to play poker machines have low or fixed incomes, but that is their choice. I do not see any reason why they should be denied their right to play poker machines. The member for Spence can enjoy his right to have a bet at the TAB. The honourable member enjoys that, and he has every right to do it. It is a battle of his wits, of testing his skill, in terms of picking the right horse on the right race; but, apparently, he has not been that good at it—or at least his tips have not been that good. Fortunately, I have never followed his advice on such matters.

I do agree with the Social Development Committee's recommendation that administering the legislation needs to be changed to avoid a conflict of interest where the Treasurer's responsibilities involve the receipt of revenue only, that another group of Ministers—a Cabinet subcommittee—should look at the issue of community welfare and that it should be coordinated through that Cabinet subcommittee rather than through the Treasurer of the day. Treasurers are notoriously flint hearted. They are interested only in raising revenue: they do not like spending any money on anything at any time. They cannot be trusted with the huge task of actually spending money. It has always been my view that Treasurers have the easiest job in the State—they only have to worry about collecting the money. It is the other Ministers of the day who have the big responsibility of coming up with creative ideas of how to spend that money. They have to be creative; Treasurers only have to flint hearted.

Mr Koutsantonis: Or black hearted.

Mr CLARKE: Yes. I do not agree with imposing a ceiling limit of 11 000 gaming machines. However, the recommendation is that it be reviewed biannually with a view to reducing the number to fewer than 10 000. Frankly, that will only help a number of pokie barons (if you want to

describe them that way) to enhance further their own profitability. It becomes a closed shop, it becomes anti-competitive, and the market will find its natural level. Nevertheless, I do support the recommendations in the report that we should not have pokie parlours. This refers to huge banks of pokie machines being established with no areas set aside for dining, relaxation or a more convivial environment for people to be distracted other than by playing poker machines. So, in terms of its recommendations under 'regulations and legislation', my difference with the committee, for the reasons I have already outlined, is with respect to establishing a ceiling limit. As far as the rest of the report is concerned, I am fairly comfortable with it.

I was particularly interested to note the comment of the Executive Director of the Australian Institute for Gambling Research, University of Western Sydney, Professor Jan McMillen, who in the Social Development Committee report describes Government regulation of Australian gambling as having 'a deserved international reputation for integrity, prevention of criminal influences and sensitivity to social concerns'. Further, Professor McMillen said that this regulation achieved 'a rare balance between the often contradictory objectives of commercial profitability and public benefit'.

Again, during the 1960s, 1970s and 1980s when new forms of gambling were established, the South Australian community and members of Parliament took particular care in our laws to minimise the extent of any corruption, criminal invasion or intrusion into our gambling codes. We took great care with that. We must always be very vigilant in that area so that we do not end up like places in the United States where organised crime runs many of the gambling casinos and other forms of gambling. With those few words, I commend the report to the House.

Mr KOUTSANTONIS (Peake): Having perused the report quite carefully and listened to a number of the speeches in support of the recommendations, I was amazed to hear the member for Spence's comments about the changes he wants for these pokie parlours which operate in hotels and clubs, changes which have been rejected by the Australian Hotels Association, the clubs and the committee. I can see no reason why the pokie barons, the Australian Hotels Association and the committee could not see fit to allow some sort of natural light, or a clock, into pokie parlours so that people could have a moment of pause to think about exactly how much money they are losing on poker machines.

Apparently, I have in my electorate the largest number of hotels of any electorate in South Australia: the Wheatsheaf, the Squatter's Arms, the Royal Hotel, the Lockleys Hotel, and the list goes on. Whenever I frequent these pubs on a week night or Saturday night for a meal with my family, a lot of the people playing poker machines who recognise me as the local member say, 'Tom, please get rid of these machines; they are a burden.' Of course, I offer them alternatives to gambling by way of counselling, but these machines are so addictive. These people find it very hard to escape the lure and the trap of the poker machine.

Another of the member for Spence's recommendations is that the type of noise emitted by poker machines be changed. Of course, the music is designed by marketing experts who have done research and conducted focus groups. They use the type of techniques that we politicians use during elections to try to lure people, in this case, to poker machines. I do not know why the committee did not accept Mr Atkinson's recommendation that we tone down the music and provide a moment of pause between bets. Some hotels are even using the music a poker machine makes when you win money as part of their advertising. So, the connection is there between winning and playing the poker machines.

I am not a prude or so conservative as to say there should be no gambling in South Australia. I think there is a place for gambling in South Australia, be it betting on the TAB, betting with Sportsbet on cricket and the football or betting at the Casino. I see no reason why we should outlaw gambling altogether, but it seems to me that poker machines are out of control in South Australia. South Australia was identified in the report as having the largest number of poker machines per capita in Australia.

That is why I am surprised that there is no support for a cap on poker machines, because if we put a cap on the 11 000 poker machines by allowing only 40 per club, how could that possibly restrict competition? If there is one club out of 11 000 with 40 poker machines, it means that a huge number of pubs and clubs actively operate poker machines. In terms of competition, pokie pubs cannot alternate in terms of the level of success on a poker machine, so you cannot say to yourself, for example, 'If I go to Lockleys, I have a one in 10 chance of winning; but if I go to the Wheatsheaf I have a one in three chance of winning.' In terms of competition, pokie barons cannot regulate the level of competition: all they can do is regulate the number of pokie machines they have, up to a maximum of 40. So, putting a ceiling on the number of machines will not affect competition.

However, I acknowledge the member for Ross Smith's point about making these so-called 'pokie barons' even richer by imposing a restriction. I have been to the Lockleys Hotel and have seen the $5 million development there. I congratulate the hotel on its development. The hotel, with 40 poker machines, employs 50 people and finds suitable employees hard to come by. Its front bar has a very good tradition, and I visit it quite often. A lot of my local constituents who are workers, including construction workers and white collar workers, visit the front bar quite regularly.

The dining room at the Lockleys Hotel seats up to 150 people, and I note also that the Liberal Party uses that dining room. This hotel is offering not only poker machines but other services and I see benefit in that. The decision I will have to make as a member of Parliament in this place is: do we take away its machines, even though the owners have invested $5 million in this State in good faith? The situation is much like the taxi industry and someone buying a taxi plate for $155 000 and finding tomorrow that the Minister says it is worth only $50. I can see how that would be detrimental to the livelihood of these proprietors and the people they employ.

However, our job is to take into account the greater good. Members are elected to this House to serve their constituents without bias and to the best of their ability, and to make decisions for their well being and the well being of the State. I note in the prayers we offer every day before Parliament starts that we seek guidance in our deliberations in order to achieve the best for the State. In considering private members' Bills or any other legislation brought before the House I hope that every member votes in good conscience and faith, as I am sure they will.

I have to question my own conscience about poker machines. It seems that poker machines have done more harm than good and, if I had been in this place when the former Labor Government introduced poker machine legislation, I

would have voted against the Bill. I have been very disappointed with some of the Labor members in this Parliament previously who voted for poker machines but who are now not here to take responsibility for their actions. That is the ebb and flow of politics. I have seen a number of people lose their homes. Indeed, I have had four people come to my office in the past year, but the most tragic case was a young woman with her two children: her youngest baby was nine months old and her eldest daughter 3½ years, and she said, 'Mr Koutsantonis, we can't make the mortgage payments this month. My husband has lost it all gambling.' There was no-one I could contact but I telephoned the bank and asked for an extension. The bank told me there had been a recurring problem.

I telephoned the husband, who got upset with his wife for coming to see me, and I thought afterwards that I was powerless to help this person. I was absolutely powerless because of these damn machines. All I can say is that I am disappointed with the Social Development Committee, because it has not taken even the smallest step to try to warn people of the dangers of poker machines. I have not declared my hand on how I will vote on the Hon. Mr Xenophon's Bill and I will not be declaring it until I read the final Bill in its entirety. However, I can say that in my deliberations I will not be influenced by people who write to lobby me but who do not leave their names and addresses on these lobbying letters.

The AHA has been sending me unaddressed letters from members who work in their pubs and clubs. I consider that to be crank mail and I throw it in the bin immediately. All I can say is that we have a huge responsibility, although often we take it very lightly. It is easy to do that in this place. Every day we make decisions that affect people's lives and we do not realise the impact. All I can say is that I believe that poker machines have had an adverse impact on this State. I realise that poker machines make up 12 per cent of our State budget, and South Australia has become addicted to poker machines just like a drug. This Government, the former Labor Government and probably the future Labor Government need the 12 per cent revenue from poker machines in our State budget but we have to act and be decisive.

Poker machines are causing immense pain to small business, workers and ordinary South Australians. We have a responsibility and duty to look at the greater good for this State rather than the short-term gain of 12 per cent in our State budget. Even though I will be giving support to the report, basically because I have to, I am disappointed with the committee and I look forward to some change to gambling in South Australia.

Mr HAMILTON-SMITH secured the adjournment of the debate.

STATUTES AMENDMENT (LOCAL GOVERNMENT AND FIRE PREVENTION) BILL

The Hon. M.K. BRINDAL (Minister for Local Government) obtained leave and introduced a Bill for an Act to amend the Country Fires Act 1989, the Local Government Act 1934 and the South Australian Metropolitan Fire Service Act 1936. Read a first time.

The Hon. M.K. BRINDAL: I move:

That this Bill be now read a second time.

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

Leave granted.

The program for completing the comprehensive revision of the Local Government Act is proceeding and draft Bills, which were recently the subject of extensive public consultation, are now being revised. One of the objectives for the review of the Act is that provisions concerning regulatory functions shared by State and Local Government should be located in the specific legislation which deals with that function. This methodology will clarify respective roles, eliminate fragmentation, gaps and overlaps or provide scope for simplification and consistency with national standards.

As a preparatory step towards achieving those goals of clarity and coordination, this Bill rationalises provisions of the Local Government Act relating to fire protection by transferring necessary powers to Acts which cover those fields and repealing obsolete provisions.

The Bill repeals a part of the Local Government Act containing fire prevention provisions which are either covered in the SA Metropolitan Fire Service Act 1936 and the Country Fires Act 1989 or are obsolete. It also repeals related powers to make by-laws under the Local Government Act and ensures that Councils can make necessary orders in relation to the presence of inflammable undergrowth and storage of inflammable materials under the relevant fire legislation.

Under the Country Fires Act, Councils already have an order-making power in relation to the protection of private property from fire which some Councils use in preference to by-laws. This is primarily used in relation to ordering land owners to reduce the volume of inflammable undergrowth. Minor amendments are needed to this provision to bring it up to date by ensuring the powers also cover the storage of inflammable materials, and setting out steps in relation to the service of notices to owners in cases where the notice has gone to an occupier of land.

The SA Metropolitan Fire Service Act does not have any equivalent provision, so the Bill provides for an appropriate order-making power for Councils to parallel that in the Country Fires Act. An appeal provision is provided to the District Court which has broad powers to vary or cancel requirements imposed by the Council or refer the matter back to the Council.

Councils in both country and metropolitan areas have, under by-law, been issuing notices requiring the removal of inflammable undergrowth and material to reduce fire hazards for many years, and are experienced in the administration of this type of power for managing fire risk. These changes make Councils' powers more consistent over the whole State and improve appeal rights in relation to orders issued in metropolitan areas.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will be brought into operation by proclamation.

Clause 3: Interpretation

This measure amends several Acts. A reference to 'the principal Act' in a particular provision is a reference to the Act referred to in the heading to the Part in which the reference occurs.

Clause 4: Amendment of s. 40—Private land

It is proposed to make some technical changes to the *Country Fires Act 1989* to provide greater consistency between the order-making scheme under this section and the proposed amendment to the *South Australian Metropolitan Fire Service Act 1936* contained in this measure.

Clause 5: Repeal of Part XXXII

Part XXXII of the *Local Government Act 1934* is to be repealed on the basis that the provisions are either contained in the *Country Fires Act 1989* or the *South Australian Metropolitan Fire Service Act 1936*, or are no longer considered appropriate or necessary.

Clause 6: Amendment of s. 667—By-laws

The provisions of the *Local Government Act* that enable by-laws to be made by councils for fire prevention purposes are repealed as they are to be replaced by other amendments proposed by this Bill, or are no longer required.

Clause 7: Insertion of s. 60B

Certain by-law making powers in relation to fire and fire prevention are to be replaced with an order making power under the *South Australian Metropolitan Fire Service Act 1936* that is similar in effect to a scheme that already exists under the *Country Fires Act 1989*.

Ms HURLEY secured the adjournment of the debate.

PETROLEUM (PRODUCTION LICENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 November. Page 280.)

Ms HURLEY (Deputy Leader of the Opposition): The reason we have this Bill before us today is that petroleum exploration licences 4 and 5 in the Cooper Basin area will expire on 24 February 1999, with no automatic right of renewal to the current licence holder, Santos Limited. This Bill seeks to give a right for a petroleum production licence (PPL) where the licensee does not hold a current petroleum exploration licence (PEL). The origin of this dilemma lies in the Act introduced in 1975, the Cooper Basin (Ratification) Act, which allowed Santos Limited to develop the Moomba Gas Fields. It was introduced by a Labor Government and, as the Deputy Premier noted yesterday, the Act brought about major benefits to the South Australian economy and, as a result, those gas fields were extensively explored, developed and exploited and gave South Australia a good and reliable supply of gas.

Santos Limited spent many millions of dollars in the exploration and development of that area. The problem arises now because a decision has been made that the Cooper Basin be opened up to other petroleum and gas exploration companies. One reason for this is that we are all becoming much more mindful of the need for competition and it seems right that other explorers be allowed into this area in order to compete with Santos Limited for the right to exploit any gas and oil in the Cooper Basin. An article in *Business Review Weekly* by Mr Mark Davis points out that this Bill will also help Santos maintain effective control of one of the most prospective areas in the Cooper Basin, the Nappamerri Trough. Indeed, that was the reason why the Deputy Premier made a statement on the granting of petroleum production licences to Santos within the Nappamerri Trough. Mark Davis was critical of this granting of production licences and refers to a former Minister for Mines, Mr Stephen Baker. He states:

> Baker, who was the responsible Minister when the deal was done, is believed to have described it as very poor and not in the best interests of the State. . .

Mark Davis further states:

> Santos has won its licences despite the fact that only eight wells have ever been drilled in the trough. . .

The Minister's explanation of this deal to grant Santos the production licences in the Nappamerri Trough is that the Olsen Government negotiated the imposition of special provisions to the 17 production licences granted to Santos, and he outlined the conditions, which included that work obligations of $50 million in the first five years and a total of $100 million over 15 years were attached to the licences as a whole, with provisions for relinquishment of acreage after five and 10 years.

The second provision was that all future petroleum licences in the area to which the Cooper Basin (Ratification) Act applies would have to meet the Petroleum Act criteria that petroleum of sufficient quantity and quality to warrant production had been discovered. Further, the production licences provided for a maximum 15 year term for areas where no commercial production had been established, as compared with the Petroleum Act of 21 years with right for renewal of future terms, and the term of the licence would revert to the normal 21 years with rights of renewal only if substantial commercial production was possible from a licence area.

This is the set of conditions which Stephen Baker is said to have described as a poor deal for South Australia. Mark Davis quotes in the article unnamed sources who state that junior explorers other than Santos would also have spent $50 million to $100 million in that area over 15 years if they had been allowed to explore the area. I would have to say that future petroleum licences meeting the petroleum Act criteria is scarcely a substantial concession from Santos. It would normally be required to meet the expectations of the law for production licences.

The other major concession of a 15 year term for the lease compared with a 21 year term for the production licence again does not seem to be a significant concession to Santos. So, it seems quite likely that Stephen Baker may have been correct in saying that the current Minister did not extract a particularly good deal for the South Australian Government and has attracted the ire of other junior explorers who are keen to come into the Nappamerri Trough to look for oil and gas there and provide the competition that the industry is seeking up in the Cooper Basin.

I am informed that the protection that is sought for petroleum production licences under this Bill is consistent with protections provided in other States, where exploration companies can apply for petroleum production licences where they have discovered oil or gas which they are unable to exploit over the term of the petroleum exploration licence period. Given the fact that in this area to some extent the horse has already bolted, the Opposition would be reluctant to put a spoke in the wheel of continued exploration and gas production by Santos Limited, and I therefore indicate that we support the Bill. However, we would be interested to hear the Minister's response to the criticism, particularly that expressed by Mark Davis, that the current Premier made a deal with Ross Adler of Santos; that that deal was not the best proposition for the State; that there is quite a deal of unrest within the industry, particularly the junior explorers, because they are unable to get access to these areas of the Nappamerri Trough; and that Santos is keeping them out of those areas and locking up prospective areas in another sweetheart deal after 23 years of monopoly control over the Cooper Basin.

The Hon. R.G. KERIN (Deputy Premier): I thank the Deputy Leader for her support. This measure has been made necessary by the fact that initially it was to be included in the new Bill, but that will not be introduced until the Autumn session next year. As the honourable member said, it is basically to put beyond doubt the applications for PPLs which if we did not do this could be invalidated at the expiry of PLs 5 and 6 on 27 February next year. This amendment will allow the department time to assess the applications that are made before the expiry. This means that there will be the opportunity for a proper assessment and to make sure that they measure up to the criteria.

This measure was flagged to industry in a green paper in 1997 and received no negative comment. The Deputy Leader raised a couple of issues about the Nappamerri Trough. This Bill will not affect the Nappamerri Trough PPLs: it will affect only the PPL applications outstanding as at 27 February.

Ms Hurley interjecting:

The Hon. R.G. KERIN: That is right: the Nappamerri Trough is already through. The Deputy Leader suggests that the fact that Santos agreed to apply for future PPLs under the

Petroleum Act criteria was a minor concession. Many people would feel that that is a major concession and was quite a win within the deal. Certainly, the big concession from Santos in September last year was the work obligation of $50 million over five years and $100 million over 15 years.

It is a minor Bill, but it will add some certainty, which I do not think anyone disagrees with. When they put in for these PPLs we need to be sure that the data can be assessed without any over-tight time lines which would mean that the quality of the work would suffer. So, I thank the Opposition for its support and look forward to this measure helping with prosperity in the Cooper Basin.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2.

Ms HURLEY: How many petroleum production licences are still outstanding for Santos, how many are expected in the next three months until the expiration of the exploration licence and how long will it normally take to make a decision on those licences?

The Hon. R.G. KERIN: At the moment within the system there are in the region of 25 applications, and we expect that we may have up to another 20 applications. Some will be able to be dealt with before 27 February. Some of those not dealt with by then will be more difficult than others, and we need to look at the data to ensure that everything is valid. The time line of extension would be a matter of several months.

Ms HURLEY: My understanding is that Santos has obviously done a good deal of exploration in the area and has a good deal of information about the geological features of the area. The data it has obtained from that exploration is sent to the Department of Mines, and that data (but not the interpretation Santos has from that data) is to be made available to companies that wish to apply for exploration licences in the new areas. The article by Mr Mark Davis in the *Business Review Weekly* says that there is some concern among some prospective explorers that enough data is not being handed over. I have some information that there is a dispute between the Department of Mines and Santos about the provision of data, what format the data may be in and how junior or other explorers may be able to use that data. Will the Minister comment?

The Hon. R.G. KERIN: While it is alleged that there is a dispute, there is no dispute as agreement has been reached on the data to be made available. That data is probably superior to any other data available for fields in Australia. Unfortunately, the article is a little misleading on that point.

Ms HURLEY: So the Deputy Premier is saying that there is complete understanding between the department, Santos and other explorers about the presentation of the data and the timeliness with which data is going out to other companies interested in exploration licences?

The Hon. R.G. KERIN: I am told that the quantity and type of data is not a problem. Timeliness has not been a big factor as there has been good agreement and a good flow through of that. I am told that huge amounts of data have been made available and that it is of good quality.

Clause passed.

Title passed.

Bill read a third time and passed.

GUARDIANSHIP AND ADMINISTRATION (EXTENSION OF SUNSET CLAUSE AND VALIDATION OF ORDERS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 November. Page 284.)

Ms STEVENS (Elizabeth): The Opposition supports the Bill. However, in so doing I will make a number of comments and put a number of questions that I hope the Minister will answer. I will weave my questions into my second reading contribution as there are only a few clauses to be dealt with in Committee. The Bill has two parts, the first being the extension of the sunset clause that we previously extended about a year ago for 12 months, and the second part of the Bill relates to the validation of certain orders that have been made.

With regard to the extension of the sunset clause, it is extremely disappointing to be here again with another 12 months extension to the sunset clause being put before the House. Will the Minister please explain why we are in this situation yet again? When the initial Bill was passed right back in 1993, there were a number of issues where there was some concern, and because of that it was decided that a three-year sunset clause would be put in place for there to be time to look at what happened and to make changes.

About a year ago we extended that for a year, and today we are extending it yet again. The disappointing aspect of this is that very many vulnerable people in our community are waiting on the results of this and waiting on changes for the future. It seems that we have fallen behind in our schedule yet again. I certainly hope we will not be back here in 12 months doing the same thing again. The Minister owes us all a very specific and detailed explanation about why we are doing this again just one year on from the last time.

I refer to the two reviews undertaken in relation to the Guardianship and Administration Act and related issues. I understand that the legislative review was established on 15 March 1997 and that 56 submissions were made, which gives us some idea of how important this matter has been to a wide range of people in the community. The task was finally completed by that committee in July this year, and I understand that the report of the legislative review group has been with the Minister since then.

I also understand that, in undertaking a review, it was impossible for the members of that group to concentrate on legislative issues alone: it was impossible not to consider operational issues as well, because they are closely linked. I understand that the legislative review report—which I have not yet seen but I will be very interested to see as soon as possible—covers operational issues as well as legislative concerns.

I understand that an operational review was also established, I think at the beginning of this year, and that it also reported to the Minister in July this year. Somehow, between the reporting and now, we have missed the boat in terms of new legislation, but I certainly hope that this will happen as a matter of urgency. I understand that two-thirds of the problems that have been reported are operational, and we need to be assured that both the legislative and operational issues will be addressed as soon as possible. Two years has elapsed since the Bill was introduced, and I believe that we need to get on and address both the operational issues and the legislative matters as soon as possible. It would be a travesty if we resolved the legislative issues without looking at the

operational issues because, as I said, they are intertwined and I believe we cannot do one without the other.

I also believe that there will be a need for some community consultation and discussion on the reports that have been tabled with the Minister. I am sure that the 56 proponents of the submissions that went to one of those committees—and I am sure that other groups spoke with the operational review committee—would want to look at what has been suggested. I urge the Minister to undertake the tasks as a matter of urgency so that we can get much needed changes in place as soon as possible in this very important area. I understand that the new Public Advocate will soon be appointed; when will that be? I would hope that that person could handle some of the operational changes that should result from the operational review so that we can see these things implemented as soon as possible.

The second part of the Bill relates to the validation of orders. Pursuant to section 6(5) of the Act, the Guardianship Board is able to hear some matters with only one member sitting. A list from the Regulations was sent to me of the situations in which the Guardianship Board could sit with only one member in place. Why is there a need to have only one member sitting on the panel? It has been pointed out to me that over recent months the number of single member board hearings has increased greatly, and I would like the Minister either to correct or affirm that over the past 18 months the number of single member board hearings has doubled and that the number of three member boards (which is the full Guardianship Board complement) has been reduced.

I can only assume that this is a resourcing issue, and I would like the Minister to tell us why there has been such a great increase in the number of single member board hearings and a decrease in full complement board hearings. Does the Minister believe there are any concerns in that practice continuing? It has been pointed out to me that there is a feeling that we may be sacrificing good decision making for the sake of saving dollars and doing things on the cheap when we should be having three member boards in place because three members are needed to give the best possible decision for people in these situations.

I understand that, in an appeal which was heard in September, the judge commented that he had doubts about the jurisdiction of the Guardianship Board and, following that, an examination of a number of orders made by the Guardianship Board was undertaken. I understand from the Minister's second reading explanation that some guardianship or administration orders made by the board while constituted by a single member sitting alone may be invalid. I also understand that it is the opinion of the Crown Solicitor that a number of single member orders, particularly those made on a review, could be invalid. I ask the Minister: how did that occur? What exactly happened and why did that occur?

The Minister mentioned in his second reading explanation that the Public Trustee administers approximately 2 350 administration orders, and I understand from the briefing I received that about 50 per cent of those could have problems in relation to this matter. So, we are looking at quite a large number of orders that could be invalid. I noticed that an article in the *Advertiser* earlier this week mentioned the need to protect 4 000 earlier decisions. Will the Minister inform us of the exact number of orders we are looking at protecting by this measure? What is the extent of the problem in terms of the number of orders and, further, are guardianship orders as well as administration orders involved? Is it one or the other or both? Is it reviews only, or does it extend to other matters?

Finally, how can we be sure that the problem will not recur? What changes of practice will be implemented for the future? What are the implications, if any, for getting through the workload that the Guardianship Board faces if there must be changes of practice to go back to three person boards, and what will be the resourcing implications for the future? The Opposition supports the Bill and looks forward to its passage through the Parliament.

The Hon. DEAN BROWN (Minister for Human Services): I thank the member for Elizabeth for her constructive remarks. Let me deal, first, with the roll-over of the Act for a further 12 months. The honourable member is correct in saying that we have had both a legislative and an operational review. Those reviews reported, I think, at the end of July or early August. The honourable member must appreciate that it normally takes 12 to 18 months from the presentation of the report of a review to legislation finally being presented to Parliament.

Ms Stevens interjecting:

The Hon. DEAN BROWN: Certainly. I think the honourable member will find that the process involves assessment of the reports and the preparation of drafting instructions. The matter then goes before Cabinet, then to the Parliamentary Draftsman, and then back to Cabinet. Consultation is involved throughout that whole process. The Federal Government normally requires somewhere between 18 months and two years to go through that process. I hope we will be able to have this finished by the end of next year—

Ms Stevens interjecting:

The Hon. DEAN BROWN: —yes, that's right—when this legislation loses its effect. I appreciate that the honourable member has been very cooperative. She has a particular interest in this legislation as have other members of this House. I have concerns about the operations of the Guardianship Board and the Government has some concerns about the legislation. Therefore, we want to make changes in that regard.

In terms of the membership of the board, whether one or three members, we want to go back and validate decisions. A couple of issues are involved. First, there is the matter of what should be the nature of the questions or issues that can be dealt with by only one board member. We are mindful of this issue. I assure the honourable member that we believe that only routine issues should be dealt with by one board member. Where decisions under the Guardianship Board have a profound impact on a person, three board members should be involved. Once this legislation is passed, these issues will be taken up with the Guardianship Board.

Secondly, there may be cases where claims against the Guardianship Board have already been raised, not regarding the issue of whether three board members or one board member were present but regarding issues of prejudicial action. I assure the honourable member that those cases will continue. In other words, we will not attempt through this legislation to cut off in any way the natural rights of the parties who have a potential case of grievance against the Guardianship Board.

I think the honourable member can be reassured that our concern is to validate decisions made by individual board members and in no way to prejudice the position of anyone who has a complaint about a decision of the Guardianship Board. I have discussed this matter with the Attorney-General

and we want to make sure that position is upheld. If the honourable member is ever approached by someone who has a concern in that respect, I invite her to bring that case to my attention so that I can follow it through.

That answers most of the issues, because I think the main concern of the honourable member involved whether there would have to be three board members as naturally there would be a resource implication. That is not what is behind this provision. If a single board member makes a relatively routine decision that is not profound in terms of its impact, that is not a problem, and I do not think the honourable member is suggesting that there would be a problem. So, we do not expect there to be any resource issues.

There is the other issue of the work of the Public Advocate. We are looking at that matter separately. I cannot indicate at this stage exactly when the appointment of the Public Advocate will be made. We are well advanced in the process, but it is inappropriate for me to speculate before the Governor or Executive Council makes the final decision. I would not want to pre-empt Executive Council on such a matter, particularly as this is a public office. I think we must respect that fact.

Let me assure the honourable member that we are mindful of the backlog. The Public Advocate has raised issues about the need for further resources on a couple of occasions. We believe that matter can be handled in a number of different ways. We would require some flexibility in the handling of that matter. I think that can be worked through with the new Public Advocate when the appointment is made.

If at any stage the honourable member has any concern about this sort of matter, I would appreciate her informing me, because we are dealing with people's lives and we must make sure that we give the best possible service and protection to those people. This is not an issue over which there ought to be a difference of opinion between the two sides of Parliament. I hope we will be able to work in a cooperative manner. I thank the honourable member for her remarks, and I ask the House to support the passage of the Bill through Committee.

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

SHOP TRADING HOURS (MISCELLANEOUS) AMENDMENT BILL

In Committee.

(Continued from 24 November. Page 393.)

Title passed.

Bill read a third time and passed.

STANDING ORDERS COMMITTEE

Consideration in Committee of the report.

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

A quorum having been formed:

The CHAIRMAN: Order! We are in Committee for the purpose of considering the Appendix of the Standing Orders Committee Report. As we move through it in order, I will put each proposed change for consideration by the Committee, just as though we were considering the clauses of a Bill. Members will be able to speak three times to each question.

Mr ATKINSON: Is it possible to discuss the changes to Standing Orders in general, as in a second reading debate?

The CHAIRMAN: That would take place with a subsequent motion that the report be adopted. That opportunity would be provided at the conclusion.

Mr ATKINSON: I have three amendments to the Appendix, two of which are completely new clauses. How will the procedure proposed by the Chairman adapt to those amendments?

The CHAIRMAN: The Chair was of the opinion that this had been agreed to when the matters were discussed. What I would suggest is that it would be—

Mr Atkinson interjecting:

The CHAIRMAN: Order! It would be appropriate for the amendment to be moved, for example, when we arrive at Standing Order 43—or, in the case of the honourable member, 81A, when we get to that matter.

Mr ATKINSON: First, Mr Chairman, if you had read the deliberations of the Standing Orders Committee, on which this discussion is to be based, you would know that there was not agreement about changes to Standing Orders. There were three matters on which there was a minority point of view on the Standing Orders Committee. Secondly, you would notice that some of the amendments are entirely new Standing Orders. In only one case is it an amendment to something on the Appendix: in the other two cases, they are entirely new Standing Orders. I am asking you when I can move those new Standing Orders, being proposed Standing Order 139A on disorderly conduct and proposed Standing Order 145A on the citizen's right of reply.

The CHAIRMAN: When the relevant matter is being dealt with, it would then be appropriate for the member for Spence to move the amendment. The Chair might say—

Mr Atkinson interjecting:

The CHAIRMAN: Order! The Chair certainly understands that there was disagreement on three matters, and I was not suggesting that that was not the case. It is the procedure that had been agreed to, not the fact that they were all being supported unanimously.

Proposed amendment to Standing Orders 24 and 25 agreed to.

Standing Order 37.

Mr ATKINSON: Standing Order 37 as amended proposes that the House meets on Thursday at 10.30 a.m. According to Standing Orders as they currently exist, the House meets at 11 a.m. but I believe that nearly everyone in the House knows that, for a number of years, the House has been meeting at 10.30 a.m., and that is owing to Sessional Orders. The Sessional Orders determining that were introduced in the time of the Bannon Government, and they were introduced as a result of pressure brought to bear by the then member for Elizabeth and then Chairman of Committees, Mr Martyn Evans. Mr Evans had been in the Parliament for, I believe—

An honourable member interjecting:

Mr ATKINSON: Yes, eight years before those Sessional Orders were introduced, and he had some pretty good ideas about how Parliament could work better than it was working, and how backbenchers and Independents could have an enhanced role in the Parliament.

The Hon. G.M. Gunn interjecting:

Mr ATKINSON: For once, the member for Stuart is absolutely correct. He was in a position to chisel these things out of the Government. It is good that these Sessional Orders have lived long enough to see their incorporation now in Standing Orders. To refresh members' memory, they were for private members' time to start at 10.30 on Thursdays and a

restructuring of private members' time that has worked well. They were six five minute grievances after Question Time, a change that has worked well. One thing that was lost at that time was an adjournment debate on Thursdays if the House adjourned before 6 o'clock. That was given away as a compromise to allow Mr Evans's proposed Sessional Orders to take effect. I am pleased to say that, as a result of cooperation between me and the member for Hammond, that Thursday adjournment debate, should the House rise before 6 o'clock, has been restored to the Standing Orders. So, I just wanted to explain the background to these changes, and that was triggered by Standing Order 37.

Proposed amendment to Standing Order 37 agreed to.

Proposed amendments to Standing Orders 43, 49, 52, 54, 78 and 79 agreed to.

New Standing Order 80A agreed to.

New Standing Order 80B.

Mr ATKINSON: I want to say what an excellent innovation this is, and I am so pleased to see it in Standing Orders. I think that much of private members' time on Thursdays was being wasted by deliberation on standing committee reports. Standing committee reports are not private members' business. I suppose that, strictly, they are not Government business, either—they form their own category. It is appropriate that they be recognised as a third category of parliamentary business. It is entirely appropriate that they be dealt with after Question Time and grievances on Wednesday in Government time, and I congratulate the Government and the Liberal Party room on accepting this change.

Mr LEWIS: My sentiments are entirely in accord with the member for Spence, with the exception of one word, 'wasted', the word the honourable member used in connection with the noting of reports and/or motions from committees. I am not sure that he was absolutely deliberate in the choice of that word, but I do not see consideration of committee reports and recommendations of committees as being a waste of time. It certainly cut into private members' business, but I acknowledge the accuracy and validity of the honourable member's remark that committee reports and recommendations are really a category of business of their own in the Parliament. They do not in fact constitute a waste of Parliament's time.

I would like to think that all members would agree, for instance, that the Public Works Committee today achieved something, with the concurrence of all members, in terms of its recommendations to establish a new industry in South Australia, adopting that recommendation from the committee to go into the feasibility of manufacturing forceps, scissors, tweezers, and the like—all non-soft surgical goods—worth tens of millions of dollars a year. So, committee reports are not a waste of time. They certainly were not a proper use of private members' time and, accordingly, Mr Chairman, I note the generous indication of support which you have for that view. I thank the Committee for the opportunity to say that it is a very positive move in the right direction for us to identify these three categories of business in this way.

New Standing Order 80B agreed to.

New Standing Order 81A.

Mr ATKINSON: I move an amendment to new Standing Order 81A, as follows:

> The Speaker may exercise discretion in determining when each period of five minutes has lapsed.

Proposed Standing Order 81A is entitled 'Grievance Debate' and reads:

> At the conclusion of the period for questions without notice the Speaker may propose the question 'That the House note grievances'. Up to six members may speak for a maximum of five minutes each before the Speaker puts the question.

That was one of the Sessional Orders introduced at the bidding of Martyn Evans, now about eight years ago. I think it was a splendid innovation, but there are ways of undermining the use of those five minute grievances, and one of them is a deliberate barrage of interruptions, interjections and, significantly, points of order. I want to give one celebrated example of this about which the Minister for Government Enterprises was boasting in the Liberal Party room during debate on the amendment.

Mr Lewis: He's not a boastful man.

Mr ATKINSON: The member for Hammond says that the Minister for Government Enterprises is not a boastful man. I do not know whether or not that is right. Last year, the Leader of the Opposition was asking a series of questions in Question Time about the Government's suppression of the Anderson report, a report that has since come to light about the Hon. Dale Baker, the former member for MacKillop. The Leader of the Opposition had some important testimony which he wanted to place under parliamentary privilege after Question Time. The best way to do that was during the five minute grievances. All the television cameras from the various television newsrooms were here to record the placing under parliamentary privilege of this testimony.

The Leader of the Opposition had the testimony in written form and wished to speak to it. This was an entirely proper use of grievances, but on that occasion Government members, including the members for Adelaide, Unley and Davenport, were desperate that this testimony not come to the public's attention, and they launched a series of interjections and points of order to prevent the Leader of the Opposition reading out the juicy bits. As a result, the Leader of the Opposition was unable to complete the testimony within five minutes and was required then to hand it to me for me to read for five minutes, which I did to the last second and to the last sentence under parliamentary privilege. I had never seen that testimony before in my life—and I think it was not an entirely desirable manoeuvre—but it was necessary to get it in under parliamentary privilege.

Now, the really juicy bits happened to be in my five minutes, and the media then sought to interview me about the content, which was not enlightening all round. But members know that some pretty pathetic points of order have been taken during grievances, especially by the member for Unley, who is interjecting again. I would like to read some of the pathetic points of order that were taken. We had the then member for Mitchell, Mr Colin Caudell, who I am afraid has departed this House, one of whose points of order was:

> I have had assertions cast against my name previously in the honourable member's speech and I have allowed it to occur, but talking about the fact that I will be spraying everywhere is really just a bit too much.

The Speaker was supposed to take that seriously. The member for Unley took a point of order, as follows:

> I ask whether it is appropriate for other members of this House to comment on points of order made to the Chair.

That was a point of order taken by the member for Unley which was quite properly rejected out of hand by the Speaker. Then we had the member for Mitchell shortly afterwards:

> I understand it is normal procedure that the speaker address all comments through the Chair.

Then we had the former member for Lee, Mr Rossi, saying as a point of order:

> I object to the honourable member in regard to his statement.

Was that not a great point of order! I would not want to be seen to be biased, so I will include a member from our side, the member for Hart. During a Grievance Debate he took a point of order in respect of the member for Unley, and he said:

> I rise on a point of order. My understanding of the Grievance Debate is that it allows members to raise an issue of significance relating to their area or area of interest. I draw your attention to relevance.

That is the kind of abuse of points of order during grievances that my amendment is designed to stop. My amendment reads:

> The Speaker may exercise discretion in determining when each period of five minutes has elapsed.

If he thought the interruptions, interjections and points of order were getting out of hand, the Speaker could stop the clock. It does not say that in the amendment because Standing Orders do not refer to the clock, but it would give the Speaker the discretion to make sure that every member of this House who had something important to say during the five minute grievances got five minutes to say it.

What would happen is that these interruptions, interjections and frivolous points of order which are designed to stop a member having his or her five minutes would cease because they would no longer avail the person who was doing the interrupting. My amendment would increase the dignity of this House and enable members to fulfil their functions properly. I urge the Committee to accept the amendment. I really do not know what arguments could be put up against it, except the member for Adelaide coming in here as he did in the Liberal Party room and gloating over previous disruptions.

The Hon. M.D. RANN: I would like to support my learned colleague's suggestion. Basically, this has been an organised tactic discussed by the Premier's staff and in the Party room. It was not just about the testimony in terms of the evidence before Mr Anderson QC in relation to Dale Baker's dealings in the South-East. It goes back much further than that: right from the time of Catch Tim, the Moriki scandal, right through the water polling and the water deal. In fact, every time the Opposition has legitimately tried to use grievances to tell a story and tell a story that embarrassed the Government, the teacher's pet of the day, generally the member for Unley, was used to interrupt. I do not mind that. He and other members opposite can interrupt as much as they like.

No-one is suggesting in this move that we take away or diminish the ability of any member opposite to raise points of order because, if they are frivolous, they will be deemed to be frivolous by the Speaker. The point is that this procedure and safeguard of members of Parliament is designed to ensure that a five minute grievance is a five minute grievance. However, there is another alternative to this. The Opposition cannot table documents in the House of Assembly. In the case that the member for Spence highlighted, we wished to table a document. In fact, it was a very serious document, I should point out, because it was part of a process that saw a Minister disappear from the ministry and ultimately from the Parliament, and quite rightly so.

The point I am making is that, if you will not give the Opposition the opportunity to table documents in the Lower House, then an unfettered five minute grievance is something that anyone who cares about the institution of this Parliament would agree to. It will not be too long before members opposite will be the Opposition—in fact, very shortly—and they will be arguing the case for unfettered grievance time at that stage. There cannot be any possible rational reason to object to this proposition by the member for Spence, except that members opposite know that we have made sure that our grievances count and that those grievances helped to ensure that there was a disastrous electoral outcome for the Government at the last election.

The Hon. G.M. GUNN: I do not have a great problem with this provision in principle. However, there could be some difficulty in administering it: for example, how long would you stop the clock? I do not know whether the Leader believes in Alice in Wonderland but he seems to dream up theories and conspiracies, and he trots them out here. The Minister is not here to defend himself, nor are other members, yet he expects us to take it as gospel. Certainly, there are other matters in Standing Orders which will attract much more debate than this. I have seen this tactic used and I have never approved of it.

Mr Atkinson interjecting:

The CHAIRMAN: Order!

The Hon. G.M. GUNN: Does the honourable member want to lose me on the issue? He might want my vote in order to get it up but, if he wants to lose me, he should continue to make his usual insulting remarks about people, as is his unfortunate wont. Normally the member is quite inaccurate but, because I am understanding and a reasonable person, I indicate that I do not have much difficulty supporting this but I take strong exception to some of the other proposed amendments.

The Hon. M.K. BRINDAL: I make the point that the member for Spence is rather cute and rather too cute. I entered this place on exactly the same day he did and I find this debate interesting. For four years we sat on the Opposition benches and for four years the Hon. Terry Hemmings and the Hon. Mr Groom and a number of other members absolutely terrorised the new backbenchers by allowing us, if we were lucky, to get two minutes of a grievance speech. While I appreciate the new-found zeal to protect the integrity of Oppositions in this place to see that they get a fair go, I must measure it against the hypocrisy displayed by members opposite when they were in Government.

I am not sure whether the Leader referred to me as a pet or a pest. I must tell him that I have never been teacher's pet on this side of the Chamber and may well have been regarded as a pest. I suspect that he should amend *Hansard* accordingly.

Mr LEWIS: This is a double edged sword. My inclination in dealing with it is to acknowledge the justice of the right of each member, regardless of who they are when participating in a grievance debate—and this includes Ministers—to place their statement before the Chamber uninterrupted unless they engage in misdemeanours in the course of those remarks. The kind of conduct that has grown up in recent years of distracting a member speaking in the grievance debate by way of interjection or alternatively taking what can be described with the kindest possible construction on motive as specious points of order—and there are other less complimentary ways in which I feel we could describe the motives of some people on occasions—detracts from the standing of Parliament and the respect each of us have for it in the process of providing the forum that is essential if Parliament is to survive and be

respected by the wider community. In that way, collectively we do ourselves a disservice by engaging in that conduct.

The proposal to stop the clock as moved by the member for Spence makes sense. However, the fear of some people, the cynics in this world and in this Parliament—and I am one of them in this respect—is that, the very first opportunity any of the major political Parties got to change that by eliminating the provision to stop the clock and reintroduce what I think is the demeaning practice that we have seen grow up over recent times, they would exercise those numbers and delete the amendment proposed by the member for Spence. That amendment effectively gives each member the five minutes of speaking time which they should have in what is quite necessarily the opportunity to put their grievance before the Parliament and the people under the privilege of Parliament about those matters.

If we do not abuse that privilege we will be respected more and, if everybody in this Chamber now resolves to remember to pass it on to their respective colleagues from election to election that it is a privilege and we win the respect of the public only if we treat it as such, there will be a benefit because it will mean that the Standing Order will remain and will not be changed again the moment a major political Party gets an absolute majority in the Chamber, and it will mean that people will not engage in the practice, because there will be no point in it.

It will go on and on; every time a specious point of order is taken against the member with the call at the time having the opportunity to put their remarks on the record, it will just mean it will drag out. If it does not take five minutes, it will take six, seven, eight, nine or 10 minutes, but there will still be five minutes of speaking time. So, on the one hand I believe that there is a benefit to be derived from this but, on the other hand, I fear two things. First, we must not abuse grievance debates. We need to ensure that what we are saying has some substantial basis in fact and that, where a member's remarks accuse another member, a citizen or a firm of doing something wrong, the member ought to do that only by reading a statutory declaration from a citizen about that. It is not just a matter of getting the citizen's signature on a document, because that is not a statutory declaration and the citizen can say, 'I did not really mean it' after it has been put on the record and it has impugned the reputation of a firm, another citizen or another member.

We have to be able to exercise that level of responsibility if we are to give ourselves the privilege of having grievance debates uninterrupted by specious points of order. It is a double edged sword. My inclination is to support the member for Spence on trust and say that it will improve the practices of the Parliament, but I will be the first one to attack another member if they abuse the five minute grievances from this point forward in any of the ways that I have just suggested, because I do not think that helps our standing in the wider community.

Mr WILLIAMS: My comments will be somewhat briefer than those of the last speaker, although I totally agree with just about everything the member for Hammond has said. I also support the member for Spence's proposal. The member for Spence tried to introduce some fairness in the examples he presented to the Committee.

An honourable member interjecting:

Mr WILLIAMS: I did say 'some'. That was unlike his Leader, who I thought chose not to seek bipartisan support for this but chose to take examples only from one side of the House, and that point was well made by the member for Unley. This suggestion brings what I would call natural justice into the House and would improve the functioning and performance of the House. From what I have seen in the short time I have been here, I would suggest that the House could do with some improvements in the way we operate in this place. That is one of the reasons why I am quite willing to support this.

The member for Hammond made the point that if the House chose to agree with his proposal he would not like to see it being abused by speakers. This proposal would not remove the opportunity for people on the other side of the House to make a point through an interjection that the speaker was getting a bit rich or going over the top.

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

Mr WILLIAMS: The member for Hammond just reminded me that my last word was 'but' and I confess that I have forgotten what the next word was going to be. I will not go right back to the start. There are several other points I wish to raise, one being that members from both sides of the Chamber have spoken from their present viewpoint (and this is probably more directed at present Government members rather than present Opposition members), and it would be naive of anyone in this place to assume that in future they will be sitting on the same side of the House as at present. Members on this side of the Chamber should look at this proposal in particular, because one day sooner or later some of the members on this side will find themselves on the other side of the Chamber and will be more than happy to have this provision in the Standing Orders at that stage. Hopefully, that will be much later rather than sooner.

Having said that and having said that I support the proposal, I have some concerns, because the proposal wishes to add the words 'the Speaker may exercise discretion in determining when each period of five minutes has elapsed'. I am sure the assumption of the member for Spence is that this means time on.

Mr Atkinson interjecting:

Mr WILLIAMS: It may indeed, as the member for Spence interjects, mean time off. I endorse the principle, but I have some questions about the wording, because under certain circumstances it could be used to take time off: the Speaker of the day might assume that the person involved at the time had had more than ample time to cover the matter he was discussing and call before the five minutes was up. I would certainly ask the proponent of this motion to seriously consider that point and whether the wording should not more accurately reflect his intention.

The Hon. J.K.G. OSWALD: I do not disagree in principle with what the honourable member is trying to achieve with this amendment. It picks up a lot of concerns that members have had over the years that they may not be able to get in their five minutes. From my experience, the occasion has not arisen in the past 12 months, but I recall that in the past 20 years there has been the odd one or two occasions when it could have happened. I would like members to think through the scenario in which it would happen, and it would be a highly charged three or four minutes leading up to a request from a member or even a plea for protection, followed by a request for additional time on.

It is in that context that I ask members to place themselves in the Chair for a few minutes and try to work out what they would do to make it workable. We have to make it workable and at the moment it is almost unworkable, although the

principle is there. It is along that line that I propose an amendment, which I hope the Opposition will be happy to accept and which strengthens the Speaker's hand so that he or she becomes the sole arbitrator without any debate. The current wording is:

> The Speaker may exercise discretion in determining when each period of five minutes has elapsed.

And I simply add:

> and that discretion will not be open to debate or dissent.

If that is in the provision—

Mr Clarke interjecting:

The CHAIRMAN: Order! Is the member for Morphett proposing an amendment?

The Hon. J.K.G. OSWALD: I submit it in writing.

Mr LEWIS: On a point of order, Sir, we cannot amend an amendment. If the amendment before the Chair now passes, it is in order for any member, as I intend myself, to move a further amendment but, until the question of whether the amendment passes has been put and determined, it is not competent for any member to move an amendment. I respect that the Speaker is foreshadowing an amendment and in all good faith and favour for you, Sir, is providing you with a copy of that foreshadowed amendment, but it cannot be competent for the Committee to begin to debate it until the question of the amendment has been put and determined.

The CHAIRMAN: The Chair does not agree that that should be the order. The member for Morphett is not foreshadowing but has placed an amendment before the Chair—an amendment to the amendment moved by the member for Spence. If the member for Hammond wishes to move an amendment, he would be moving a further amendment. I know that this will become very complicated, but that has always been the practice in Committee. At this stage we have an amendment by the member for Morphett to the amendment moved by the member for Spence.

Mr Lewis interjecting:

The CHAIRMAN: I suggest that the member for Hammond take note of Standing Orders 166 and 167.

The Hon. J.K.G. OSWALD: I will not delay the Committee. I remind members that we are trying to make this principle work and, in that highly fired scenario that I described, at about the three minute mark when people are getting emotionally stirred up because someone is not getting the right to speak, someone could hop to their feet and challenge the Speaker over whether or not his ruling was fair.

Mr Atkinson interjecting:

The Hon. J.K.G. OSWALD: Under the rules of football, the umpire has the ability to make a decision without someone hopping up and moving dissent to his ruling: that does not happen on the football field. But in this highly charged atmosphere that I am describing, it could happen. I do not want to see the principle lost, but I do not want to see the Speaker lose control of the debate. In other words, the Speaker makes a ruling and everyone accepts the ruling and gets on with it. I commend the amendment to the Committee.

The Hon. R.G. KERIN: The member for Spence spoke at some length about this and made it sound very much a one sided tactic, which it is not. He mentioned the transgression of the member for Hart. It is about frivolous points of order. I suggest that always a means is found as with the Leader of the Opposition's getting the member for Spence to read his dissertation. The one thing that concerns me is that I do not know that this is so much a necessary change: it is not always the Speaker himself who is in the Chair during grievances. I think it is probably one more opportunity for what is sometimes an unruly Opposition to constantly question the Speaker's judgment on whether or not time on should be added.

Members interjecting:

The Hon. R.G. KERIN: That is right. I think that will tend to increase pressure and probably create more argument in the House. If this were to go ahead, I would say that the amendment moved by the Speaker makes a lot of sense.

Mr HANNA: I speak briefly in support of the proposal as outlined by the member for Spence. Personally, I have no problem with the amendment that has been put forward by the member for Morphett, although that is being discussed by my colleagues at the moment. The question is as simple as this: why do we have grievances? We have them so that for five minutes on sitting days we can bring matters of interest before this place, and five minutes or 10 minutes, as the case may be, is deemed to be sufficient time to raise a matter, outline it, and perhaps make some recommendations or comments or whatever.

It has happened many times that that five minutes is eaten up by spurious interjections, and I am afraid that tends always to work in favour of Governments rather than Oppositions, because it is more often Oppositions that have a point to make which they cannot make effectively by any other means within the House. In other words, Ministers have ministerial statements and dorothy dixer questions: the Opposition does not have those means available to make a point, so grievances are all the more important to the Opposition.

For the Opposition from time to time it becomes important for that full five minutes to be available, and I think that this time on provision is simply keeping the Standing Orders in line with the spirit of the original entitlement to have a grievance. So, it is important that the House pass this measure and bring it into Standing Orders.

Mr LEWIS: Quite simply, the Speaker's ruling is always final unless a member chooses to move dissent from it. That has to be a positive move. What Mr Speaker now proposes is really redundant. You would need to put that after every Standing Order in the event that the Speaker's ruling will be final and not subject to debate. If you say that, are you really implying that it is not capable or competent for a member to move dissent from the ruling?

There is a difference, I might point out, between moving dissent from a ruling and moving no confidence in the Speaker. They are very different propositions. On the one hand, a member who might be choosing to move dissent from the ruling in every other respect has complete confidence in the Speaker but chooses in this instance to test the will of the House on that particular matter. That is the way it has always been: it has never been any different for further back than I can remember, certainly well before I became a member of this House and took an interest in its proceedings.

Mentioning that point compels me to apologise to you, Sir, for my mistake in saying that it is not competent to amend an amendment. That applies to Joske's rules of debate in public meetings where, if an amendment passes, that is, when it becomes the motion, it can then be further amended. However, under our Standing Orders you can amend the proposed amendment before it is put to become the question or part of the question. I accept that, and I thank you for your guidance, Sir.

However, I point out that I believe the proposition moved by the member for Spence needs to be further qualified to the extent that we ought to be saying that it is not going to reduce

the amount of time that a member can speak. What we have now before us is a statement in the interests of simple English which reads that the House note grievances and 'up to six members may speak for a maximum of five minutes each before the Speaker puts the question that the House note grievances'. I emphasise that it says 'may' and 'maximum'. The member for Spence proposes to add:

> The Speaker may exercise discretion in determining when each period of five minutes has elapsed.

So, the Speaker can say, even if the clock is showing and real time has only shown that three minutes has elapsed, if he or she is bloody minded—

Mr Atkinson interjecting:

Mr LEWIS: I make no reflection on previous Speakers at all. I am just saying that hypothetically it would be possible under this proposition, as it stands, to interpret it to mean that the Speaker can decide that five minutes has elapsed whether or not it has. I would not want the Speaker in any circumstances to exercise a prerogative of saying, 'You have had your time and, if I say it's five minutes, it's five minutes.' I think it is fair then, because we have tried to accommodate the circumstances in which a person may choose to use, say, only 3½ minutes of the five minutes available by saying 'up to five minutes'. It is not compulsory to wait in silence for the member to stop speaking and sit down so that we can go onto the next grievance. We have accommodated that by using the words 'for a maximum of five minutes' but we ought not to allow anyone to argue that that means it could be less at the Speaker's discretion. Hence, the reason for my proposing an amendment to the amendment to the amendment, and I suggest we take them each in order—

Mr HANNA: I rise on a point of order, Mr Chairman. I refer to Standing Order 111, and I wonder whether that is an obstacle to what the member for Hammond is trying to do?

The CHAIRMAN: The Chair indicated at the commencement of these proceedings that we would be dealing with the Standing Orders as if they were clauses of a Bill and that an opportunity would be provided for each member to speak three times on each amendment.

Mr HANNA: I am not disputing that. I am referring to the Standing Order which provides that a member who has spoken to a question (as the member for Hammond has) may not move, second or debate an amendment to that question at a subsequent stage.

The CHAIRMAN: That relates to when a matter is before the House and not before the Committee.

Mr LEWIS: Thank you, Mr Chairman. Whether or not the other amendments succeed, my amendment in any case reads:

> but not so as to reduce the speaking time for any member to less than five minutes.

The CHAIRMAN: I seek clarification from the member for Hammond. I presume his amendment would follow on from the amendment of the member for Spence and ignore the amendment moved by the member for Morphett.

Mr LEWIS: My amendment stands alone whether or not either or both of the proposed amendments before the Chair succeed. That was why my brain, my mind set, was that I would wait to see whether or not the member for Spence's proposition succeeded, not being aware that Mr Speaker himself intended to add to that before I moved it.

Mr Atkinson interjecting:

Mr LEWIS: With the greatest of respect to the member for Morphett, I believe that my amendment makes a qualification of any part of the proposition before the Chair independent of either of the other amendments.

The CHAIRMAN: The Chair suggests to the member for Hammond that it would be appropriate for his amendment to be read after the amendment moved by the member for Spence. So, the amendment would read:

> The Speaker may exercise discretion in determining when each period of five minutes has elapsed but not so as to reduce the time to less than five minutes.

Mr LEWIS: I accept your judgment, Mr Chairman. On a point of clarification of your ruling, I seek your indulgence to agree that if the proposed amendment of the member for Spence were to fail my amendment would still be put, because it stands alone even without the proposition from the member for Spence.

The CHAIRMAN: I suggest that the member for Hammond's amendment is redundant if the member for Spence's amendment fails.

Mr LEWIS: Again, I seek clarification. Because the amendment formally moved stipulates a maximum of five minutes, that implies that there might be discretion for the Speaker to say, 'I will not allow it to go to five minutes.'

The Hon. G.A. INGERSON: I have listened with interest to the debate thus far. Clearly, the issue is that of recognition of the right of members of the House to put their point of view on a matter that involves either their electorate or a public issue. Whatever we decide, in good faith, seven or eight years ago we provided for a period of five minutes when we moved the grievance debate from the end of the day to a more reasonable time. That was done so that every member would be given their full time to speak. I think that any discretion that enables the Chair to use some discretion to allow a member to have five minutes is the way we ought to go.

It seems to me that the amendments that have been put forward so far are becoming more pedantic as we amend the amended amendment. Clearly, we need to make sure in the amendment that the five minutes is the point of the exercise, and the second point is that the Chair be given some discretion. I have heard some spirited grievance debates, and the majority of members of this House respect the fact that other members want to put a point of view. I think it is only in rare cases that the Speaker needs to use discretion. As with most things in life, the simpler the amendments are kept, the better. That is particularly so with anything involving the legal profession; the simpler you keep it, the better, because interpretation does not get mixed up with intent.

From my point of view, the amendment of the member for Spence contains the general thrust that we want to achieve. If that amendment does not achieve what we want surely we can amend it again later. The general thrust is to recognise once or twice a month when this occurs that the Chair has the right to exercise some flexibility.

The Hon. J.K.G. OSWALD: I would like to respond. I do not disagree in principle with what the honourable member says, but it gets away from the point that he is trying to make. He is honing in on making the process simple, but the process will not be simple if a member in the heat of the moment challenges the Speaker's decision. That was the purpose of my amendment, to make the position black and white, so that the discretion given to the Speaker is not open to debate or dissent. That should not be incompatible with members' wishes. The amendment to Standing Order 139A also refers to giving the Speaker the ability to make a

decision and an order which shall not be open to debate or dissent.

It is a question of making it simple so that in the heat of the moment the Speaker makes a decision and that is it: it is all over, no questions asked, and we get on with the rest of that five minutes. The last thing that a member would want if he or she is half way through a speech, being interrupted by interjections and the Speaker wants that member to get on with it, is for a colleague or otherwise to take a point of order or move dissent with the Speaker's ruling. It is about simplicity. I urge members to support the amendment for the sake of simplicity.

The Hon. G.A. INGERSON: Having heard the argument put by the member for Morphett, I think his proposal does keep it simple, but it also does the very thing that we want: that is, whoever is in the Chair has the ability to make sure that a member speaks for five minutes. It is not an issue of what they are talking about—

Members interjecting:

The CHAIRMAN: Order! There are too many conversations in the Chamber. The Chair cannot hear the member for Bragg.

The Hon. G.A. INGERSON: Clearly, the amendment of the member for Morphett adds to the member for Spence's amendment and clarifies the Chair's position. It makes specific what the Chair can do and what members want him to be able to do, and that is to have control during that 30, 35 or 40 minutes, whatever it may end up being. As I said before, the simpler we keep it, the better, because what tends to happen in this place is that we all get to the stage where we become horribly legalistic about something that is really only a matter of principle: that is, every member ought to be given five minutes; and, if a member is interrupted, the Chair ought to be able to make sure that that member gets his or her five minutes.

Mr ATKINSON: I have a difficulty with the member for Morphett's amendment. He says, 'The discretion will not be open to debate or dissent.' Of course Speakers' rulings are never open to debate—that goes without saying.

The Hon. R.G. Kerin interjecting:

Mr ATKINSON: Yes, I have, but since that's not getting up we don't need to worry about it.

The Hon. R.G. Kerin interjecting:

Mr ATKINSON: I was going to make a confession if you had allowed me to continue. Speakers' rulings are not open to debate: you cannot quarrel with the Speaker about his ruling; all you can do is move dissent—either one or the other. Either you shut up and take it, or you dissent. To say that that is not open to debate is redundant, because it is never open to debate. So, you do not need to say that.

Secondly, to say that it is not open to dissent really causes a difficulty, because any Speaker's ruling should be open to dissent—otherwise, how can the House regain control of proceedings? What if the Speaker makes a ruling which it is manifest to everyone is foolish and incorrect? I oppose the member for Morphett's amendment in this Standing Order, where it makes no sense.

The Hon. G.A. INGERSON: I believe that one of the important aspects of grievances is the intent to keep members' available time to five minutes. The rulings, etc., of the House, which are fundamental in Bills and motions, are really not as important during the grievance debate. The most important thing for grievances is that the member be given his or her time, and the reality is that whoever is in the Chair ought to be able to make sure that that occurs. So, we ought to be able to design an amendment, and I believe the member for Morphett, together with the member for Spence, has come up with the ideal formula.

I do not disagree with the member for Spence in terms of the technicalities of the Parliament but I would have thought that, with commonsense, we could separate out grievances from the position involving the technicalities of the Bills and the other motions that we debate. I know that that sometimes creates some difficulties for lawyers, because they like everything to be bundled into the one simple category and to have one set of rules. But, as the important thing here is the need to see that members have their say, I believe that we ought to adopt a pretty simple, non-legalistic provision ensuring that five minutes is five minutes and you will get it.

I have had some very interesting debates with the member for Hart, in which I believe I said about two-tenths of what I wanted to say, and when he rose to speak he said about four-tenths. In reality, it was quite silly, because we used some other time of the day to get our point across. If the Speaker could have said, 'Sit down and behave yourself; the member will get his five minutes whether you play up or not,' that would have been a much better way to go.

The Hon. J.K.G. OSWALD: I have listened carefully to the member for Spence and, perhaps with some cooperation, we may be able to come to an agreement on this. If, by leave, I deleted the words 'debate or' from my amendment and it just read, 'After the word "elapsed" add the words "and that discretion will not be open to dissent"', I would be perfectly happy. I will have achieved my objective that the Speaker of the day would be able to make a quick decision and the debate would continue, with no opportunity for dissent. Taking the comment of the honourable member, I accept as a matter of definition that there would not be a debate. I therefore seek leave to delete the words 'debate or'.

Leave granted.

The CHAIRMAN: If there are no further speakers, it is the intention of the Chair to put the amendment moved by the member for Morphett to the amendment moved by the member for Spence first. I remind the Committee that we are considering Standing Order 81A. After the word 'elapsed' used by the member for Spence in his amendment, add 'and that discretion will not be open to dissent'.

The member for Morphett's amendment carried.

THE CHAIRMAN: I will now put the amendment moved by the member for Hammond, which is in addition to the amendment that we have agreed to moved by the member for Morphett.

The member for Hammond's amendment carried; the member for Spence's amendment as amended carried; Standing Order 81A as amended agreed to.

Proposed amendment to Standing Order 101 agreed to.

Standing Order 133.

Mr ATKINSON: This Standing Order currently reads:

> A member who complains to the House of any statement published, broadcast or issued in any manner whatsoever is to give all details that are reasonably possible and be prepared to submit a substantive motion declaring the person or persons in question to have been guilty of contempt.

I am informed that that wording was a mistake when the Standing Orders were updated some years ago, but its plain meaning is that any of us who gets up and complains about being misrepresented in the media must be willing to charge the journalist concerned with contempt. I can recall that I took this Standing Order a couple of times, once when the former member for Kaurna (Lorraine Rosenberg) was

complaining about the media, and I believe on another occasion when the member for Colton was complaining about the media, and I regret to say that the Speaker of the time did not enforce its plain meaning, as was his habit with many Standing Orders. I notice that the wording has been changed to make it clear that this applies only if a member complains about the media as a breach of privilege. It seems to restore the Standing Order to its original meaning, and I support it.

Proposed amendment to Standing Order 133 agreed to.

Mr ATKINSON: Would it now be appropriate to move proposed Standing Order 139A, as our next Standing Order is 149?

The CHAIRMAN: The member for Spence may proceed.

New Standing Order 139A.

Mr ATKINSON: I move:

Disorderly Conduct.

If the Speaker considers the conduct of a member is disorderly, the Speaker, instead of calling on the provisions of Standing Order 137—

and I interpolate there that Standing Order 137 is about obstruction—

may order the member to withdraw from the House for up to one hour, which order shall not be open to debate or dissent.

If a member fails to leave the Chamber immediately when ordered to do so by the Speaker, the Speaker may name the member.

The Opposition puts forward this change in the interests of trying to improve behaviour—

An honourable member interjecting:

Mr ATKINSON: Sin bin—in the Chamber. There is no doubt that the great majority of people who come into the Strangers' Gallery to watch Question Time, and sometimes debate on Bills, believe that we are very badly behaved, we do not take our jobs seriously and we demean the office of Parliamentarian by our conduct. There are reasons why we conduct ourselves in the way we do. I believe that there is a certain in-house ethos which rewards unruly behaviour in the House. Those members of Parliament who behave in a penetrating and disorderly way, and a clever way, are rewarded by the newspaper journalists with the suggestion that they might be future Leaders and that they are somehow good Parliamentarians. So, there is definitely a reward for behaving in an unruly manner if that unruly behaviour is damaging to the other side or is entertaining.

By this amendment we are trying to strengthen the Speaker's authority to deal with disorderly behaviour, particularly during Question Time, because the difficulty with Standing Order 137, entitled 'Obstruction', which is the naming and suspension process, is that it requires a vote of the House before a disorderly member is removed from the House. That disorderly member, once removed, is removed for the whole of the day, or, if that disorderly member is a repeat offender, like the former member for Kavel or the current member for Ross Smith, that member may be removed for three consecutive sitting days or even for 11 consecutive sitting days. It is an example of minimum sentencing which I am sure the Attorney-General in another place would oppose.

The difficulty with Standing Order 137 is that it requires a vote of the House before the disorderly member is removed from the House. That means that only Opposition members are ever named or suspended from the House. There is an exception, that is, the member for Hammond. I will choose my words carefully here, but the member for Hammond, being a member of this House, is assumed by other members of the House to be always telling the truth. Let me say that the member for Hammond was suspended from the House for telling the truth. The truth that he told was that the then Speaker released in a most improper fashion the details of his Parliament House telephone account to journalists for the purpose of bagging the member for Hammond. When the member for Hammond identified the Speaker publicly as having done that, he was named by the Speaker and suspended from the House—and that was a very bad decision of a previous Parliament.

It was a shameful decision, but it was not quite as shameful, though, as one perpetrated by the Labor Party in the Federal Parliament in 1975 when Speaker Cope named the Hon. Clyde Cameron for unruly conduct and then hoped that the Leader of the Government in the House would move to suspend Mr Cameron from the service of the House. But, of course, the Whitlam Government did no such thing and, because the Speaker's naming was not supported by the House, Speaker Cope was forced to resign and was replaced by the member for Corio, Gordon Scholes. That was a disgraceful episode, and it just shows that Speakers cannot effectively name members of the Government.

The current Speaker has great difficulty in warning any member of the Government—he is very good at warning members of the Opposition but not good at warning members of the Government. Because the Speaker cannot name members of the Government, no disorderly members of the Government are ever removed from the House. So, the whole process of naming and suspension falls into disrepute. It is a joke; it happens only to the Opposition. I concede, though, that the current Speaker has been as restrained as he possibly can be in his namings. The Speaker has been quite restrained and forborne from naming Opposition members on some occasions, and I give him credit for that. That is why, very generally, he has the support of the Opposition in this Chamber, and that is why this Chamber has been working better in the past 12 months than it did the four years prior.

The point is that the current Speaker cannot name any member of the Government, or any Independent member for that matter, because they are members of the majority, and the Government cannot afford to lose their vote for the remainder of the day.

The Hon. G.A. Ingerson interjecting:

Mr ATKINSON: The member for Bragg is not necessarily right. But, even when the Government had the biggest majority in the history of this Chamber, the then Speaker would not name any Government member, and that is why naming and suspension was a joke. It happened to only one side of the House, and we all know that is true. Even the Speaker knows that it is true. Because the Opposition has confidence in this Speaker, we are giving him unprecedented authority to uphold the rules of this House. We know that the first victims of this amendment on disorderly conduct, this amendment which we call colloquially the 'sin-bin'—

The Hon. R.G. Kerin interjecting:

Mr ATKINSON: Exactly. The Deputy Premier points to the Opposition benches and to the members for Hart and Elder, and he is right: they will be the first victims of the sin-bin proposal that we are putting up. But we are prepared to give the Speaker authority to remove from the House for up to an hour any member who behaves in a disorderly fashion. That authority is unprecedented, and the first victims of it will be the Opposition. That means that more Opposition members will be removed from the House than are removed under the current—

Members interjecting:

Mr ATKINSON: Well, I don't need to talk you into it. More Opposition members will be removed from the House than are removed under the current Speaker on Standing Order 137. But we are willing to do that on the off chance that justice will be done and that this Speaker will have the courage and the integrity to use this provision to remove members of the Government who behave in a disorderly fashion and who disrupt the business of the House. The Minister for Government Enterprises, who often shows contempt for the Standing Orders of this House and for the Speaker, is one of the first members who springs to mind. The Minister for Local Government is another; and a third, of course, is the Minister for Police and Emergency Services.

Those members could be dealt with justly under this provision if the Speaker had the courage to remove them. They would be removed for up to an hour. That means that they would be back before grievances end, so they would be back to do their Bills and to vote on Government Bills. That means that either side of the House losing a member would be far more cheerful about losing that member than they are now under Standing Order 137, because under that Standing Order they lose that member of their own side, that member of their own team, for the rest of the day, and they lose that vote on Bills. That is why we get so upset when members of our side are named and suspended for the rest of the day.

Mr De Laine interjecting:

Mr ATKINSON: Under this proposal, as the member for Price says, the offending member might be asked to leave the House for as little as 10 minutes just to cool down and cease being overwrought. That member can then come back into the House, and the House can get on with its business. This amendment gives the Speaker unprecedented authority. It is a rule that has been accepted by the House of Representatives. It is a good rule for the House of Assembly. It will mean that all of us will behave better, because for the first time all of us will be subject to being removed from the House. At the moment, only Opposition members are subject to being removed from the House.

Mr McEWEN: The member for Spence protests too much. The honourable member knows that this proposed amendment to Standing Order 137A is no more than a Clayton's amendment to Standing Orders. What the honourable member really knows, what the honourable member really wants—and what I think the House really wants—is for the present Standing Orders to be fairly applied at all times. If that were the case, we would not require a Clayton's amendment. All we need to do is appeal to the Speaker. I take on board the honourable member's complimentary remarks in respect of the present Speaker. Of course, I have not had the luxury of experiencing at first-hand a Speaker in any other House. I simply say: if we continue to support the Speaker and his fair-minded approach, we do not need any Clayton's Standing Order.

The Hon. M.D. RANN: In supporting the member for Spence I indicate that what we are doing today essentially—and I hope the member for Morphett realises this—amounts to a vote of confidence in the Speaker of this Parliament. We are giving this Speaker a power that not one single member of the parliamentary Labor Party even in his or her cups would have considered giving to the former Speaker. As the member for Spence points out, we are attempting to give the Speaker an extraordinary power that could be exercised either wisely or injudiciously. In saying that, we have to recognise the important role of the Speaker in any Parliament. The Speaker is not a ringmaster or a cheerleader: the Speaker is someone in whom the whole House invests authority, authority that is based on both privilege and tradition that goes back many hundreds of years.

We know, as the member for Spence said, that there is no doubt that the first person in the sin bin would be the Leader of the Opposition, or the members for Hart, Elder or Ross Smith, or perhaps even the member for Spence. We know that in creating this new device there will be a page 1 or page 3 headline 'Rann placed in sin bin created by Rann' or the like. The media would love to do it. We know that, if there were agreement from the Independents, there would be a story saying that the Opposition has fought to get a sin bin and they are straight in it. But we have a belief in this system of Parliament, and we want to see it work.

We know there are people out in the community in their tens of thousands who believe that this Parliament, like many other Parliaments, is becoming increasingly irrelevant to people's lives, and what they see here is a lack of efficiency and accountability, a lack of respect by members of Parliament for their own institution and a lack of respect that is translated into a massive lack of respect by the people of this State and nation for the institution of Parliament.

Let us think about one year from now when we are about to enter a new century and millennium and how we can drag this Parliament kicking and screaming into the twentieth century—not the twenty-first century—in trying to achieve some reforms. I have to say that the previous incumbent of the speakership, in my view, debased the office of the Speaker in terms of the unfair way in which members on this side of the House were dealt with compared to the Government.

We can understand that the present Speaker is placed under extraordinary stress because he knows the delicate balance of the House, which is why yesterday, when there were interjections from both sides of the House with screaming interjections from Ministers, we noticed that none of those Ministers was called to order by the present Speaker. A far greater lack of fairness occurred with the previous Speaker when the Government had the world's biggest majority—bigger than Singapore's—because he was so desperate to keep his position as Speaker after the coming election that he was willing to debase his office and, as a result, members on both sides of the Parliament agreed with each other straight after the election that they had had enough and we needed a new Speaker.

I would like to think that we could move on into a new century where the Speaker is chosen along the lines of the British tradition, where the Speaker does not sit in the Party room and does not engage in the tactics before Parliament about who is going to be named. That was occurring—we know that. We know that that has happened around this country. We know that it has happened before, when there was tick-tacking before a session about what was going to occur.

The CHAIRMAN: Order! The Chair is of the opinion that the debate that is now occurring is much wider than is necessary with the amendment before the Chair. I ask the Leader to come back to the matters dealt with in this amendment and not to stray further.

The Hon. M.D. RANN: Thank you. So, in supporting a sin bin and giving the Speaker the right to tell someone to 'nick off', calm down, cool down, have a cup of tea, have a Bex or whatever, we are saying, 'Let's see how we can improve this place and send a message to the community that all of us take this institution seriously'. We have this bizarre

scenario at the moment where, after a warning, someone can be named for a comparatively minor misdemeanour but, of course, that becomes the story of the day and it further diminishes the Parliament. I have been named and the members for Hart, Spence, Elder and Ross Smith, from memory, have been named. I remember that the former Deputy Leader of the Liberal Party, Roger Goldsworthy, was named on a number of occasions.

On a number of those occasions the sin bin approach would have defused the tension and stopped the headlines, and it would have taught members a lesson, which is why the Labor Party today is acting against its self interest. What we are suggesting in many ways is a self defeating ordinance but one that will impose discipline on both sides of the Parliament and also increase and enhance the authority of the Speaker.

The Hon. G.A. INGERSON: What a mob of bleeding hearts! I have heard some bleeding hearts before but this has to be the best of all. I remember being in Opposition for about 11 years, and I remember being on the other side and complaining about the Speaker and using all the words about the Speaker, saying the Speaker was unfair and all that. That is the reality of Opposition. You are over there because you ought to be over there, and you have to put up with it—that is the reality of the Parliament. If the Opposition were fair dinkum about a sin bin, you would have to make it pay. The amendment ought to provide that the sin bin applies until 6 o'clock, but there is this nonsense of 'up to an hour'. Members can play up and have a lovely story for the media at night when they want to do it but be back in the House later in the day to vote again. That is not how it ought to be done. If you want to be serious, we should go halfway until 6 o'clock; in other words, take a three hour break.

Members interjecting:

The Hon. G.A. INGERSON: I will get to that. That is what should apply if you are really fair dinkum about it. I could think of nothing better than seeing a headline 'Rann in sin bin'. Most people would say, 'It's about time the *Advertiser* wrote it as it is.' That would be a wonderful headline, and we would like to see it. The Opposition is playing politics with this whole exercise, and that is not really what we are trying to achieve. While I see the point that the Opposition is making, it is a political stunt—it is no more or less than that.

Members interjecting:

The CHAIRMAN: Order!

The Hon. G.A. INGERSON: It is the sort of thing that you would expect any Opposition to do, and I congratulate the Opposition for doing it. At least it is acting like a true Opposition. It is what you would expect it to do because the Opposition will complain about any Speaker, just as we did when we were in Opposition. I will not name the teacher Speaker we had.

Mr Foley: Trainer.

The Hon. G.A. INGERSON: That is right, Speaker Trainer. I remember some of his rulings which I thought were pretty difficult. Indeed, I remember having a holiday one week because I did not agree with him.

Mr Foley interjecting:

The Hon. G.A. INGERSON: I think Roger and I went out the same day. The reality is that when you are in Opposition you just have to put up with it and be better boys and girls and try to lead the Parliament into a new era. If the Opposition took the lead and showed some decorum in the Chamber, I am sure the Government would recognise that and move to a whole new era.

One of my major concerns in this place at the moment, and it was echoed by the Leader, is the continual personal abuse. That never occurred in the past. When I first came into the House there were many tough, hard-nosed Labor Ministers who played the game very hard. They played the politics of the day but there were not the personality issues that there are here today.

We had an example of this earlier, where the Leader deliberately set out to impugn the motives of the previous Speaker. Again, it was an Opposition's view that it was unfair but, irrespective of that, to personally denigrate the role of the Speaker, whoever is in that position, relates to one of the fundamentals of this Parliament. It is one of the major issues. Instead of worrying about this pedantic nonsense that is happening here, we should say that we will play politics hard, keep out all the personalities and get back outside and be normal people as we used to be. When I first came here, there were many fights in this place, many points of view were put very strongly and there were many heated debates but, when members walked through that door, that was the end of it and they got on with their lives and the representation they had to make. That is one of the major issues.

I do not believe that providing up to one hour will solve this problem at all. If this Parliament wants to make a change, it will have to go to half a day—a half way house—rather than the one hour, because that has too much opportunity to be used and abused by Oppositions in particular, because they are the ones who will do it. That is clearly the sort of thing that ought to be looked at by this Parliament.

Ms HURLEY: Day after day we sit in here and listen to Ministers of this Government evade and not answer questions, and answer dorothy dixers, going on past what is reasonable and fair. Day after day our members who interject and complain about this sort of treatment are warned and named, while we hear the Ministers on the other side shout across the Chamber and interject.

The Hon. M.K. Brindal interjecting:

Ms HURLEY: They are generally unruly—and the Minister who says 'Never', the Minister for Local Government, is one of the worst. We have no ability to respond to that, whereas the Ministers stand up and answer questions and, in answers to their dorothy dixers, attack members of the Opposition in a very political way. If members on our side dare to interject, we are cautioned, warned and named. This amendment offers a way to redress that balance, some way in which the Speaker might be able to sin bin some of the unruly members of the Government—some of those Ministers who from the security of the front bench yell across the Chamber and try to intimidate the Opposition.

Many people see this House as gladiatorial in its conduct. Many people in the community think the way we conduct our business is unreasonable. Many women in particular find it appalling that those people who can shout the loudest are rewarded in this Chamber by publicity, as the member for Spence alluded to; while on the Government side, the louder they shout, the less they are warned. I very much agree with this amendment. I recognise that some members on our side will be the first to come under the provisions of the amendment, but we are willing to pay that penalty provided some members of the Government also come under the penalty. It is disappointing that the first of those members will be Ministers who under Standing Orders have the maximum

ability to attack the Opposition and respond but who choose to interject across the Chamber.

The CHAIRMAN: Order! I ask the member for Bragg to take a seat. The member for Hammond.

Members interjecting:

The CHAIRMAN: Order!

Mr LEWIS: I would like to think that the proposition which I know is put quite sincerely by the member for Spence would be capable of producing the improvement which superficially many other members believe it can, although I say to you, Sir, that there are two strong reasons why I do not believe that will happen. The first is that it covers only circumstances where Mr Speaker finds the conduct of the member to be disorderly—not you, Mr Chairman, and not anybody else when the House is in Committee but only the Speaker. I think that the present deterioration in conduct to which former speakers on this matter have referred has arisen in consequence of the presence of television cameras in the Chamber during Question Time; it has arisen during that time since we allowed television cameras in here. It was referred to as being recent by the member for Bragg, although he did not identify the possible cause of it.

I believe that fairly soon, with modern technology being so cheap these days, the House will install cameras above the clocks at either end of the centre of the Chamber and in the centres on the walls, perhaps at the same height as the pillars or wherever (it does not really matter), and that those cameras, costing in total less than $100 000, can be controlled from a studio not in the Chamber by an employee of *Hansard*. After all, it is a record of the proceedings of the Parliament, albeit in a digitised video. It is digitised and it is a record of the proceedings and it ought to be controlled by *Hansard* and not by the servants of the media as it is at present.

Even though we have rules and we threaten TV camera oerators and so on with expulsion, the media moguls send in some other camera operator who signs a document to declare that they will uphold the rules and so on—and that is unsatisfactory. That is what has caused the deterioration in behaviour in considerable measure. It is the conduct designed to attract the attention of the electronic media that has then been used by other members to justify conduct to get the attention of the Chamber. The end result is that the day-to-day conduct deteriorates to a point where a member of the Chamber, the member for Spence, feels the need for another tool in the hand of the Presiding Officer. However, he makes the mistake of referring only to the Speaker in the Standing Order, whereas I believe it would have been appropriate to nominate whoever it was at the time, either the Speaker or someone by implication to whom the Speaker has deputised the responsibility in the Chair whilst the House is deliberating on propositions before it other than in Committee and, when we are in Committee, you, Sir, as Chairman or the person to whom you deputise.

I do not intend to support the amendment, because I have yet another reason for saying that I do not think it will work. There are two parts to that other reason. We are 47 individual human beings. We are each unique. We have our separate idiosyncrasies and talents that make us what we are, and each of us is elected by 22 000 people, or thereabouts. Our responsibility to each other is to respect the 22 000 people that are at the back of the visage and persona of each of us as we stand or sit here. Forget about the individual person, but remember the responsibilities that that member has to the people who put him here as a representative.

I am saying that, because Mr Speaker or Madam Speaker is one of us, with all those frailties, invariably the Speaker will find that some of us are more irritating than others. If you change the member in the Chair, then different people would probably be irritating to that person. I am strongly of the view that the capacity for injustice perpetrated by the Speaker or, if we were to amend it, whoever it was presiding over the proceedings of the House at the time, through the subjective assessment made by the presiding member of the conduct of any other member, would too often and too easily result in that member's being chucked out when the misdemeanour of which they were guilty might not be anywhere near as serious as an offence of some other members whom they liked.

It irritates me when members and Ministers, from both sides of this House over the past 10 years, simply ignore the convention that in the galleries are observers—they are non-persons—yet members will stand at that barrier, turn their back on the Chair and talk to people in the gallery. That is highly disorderly and it offends me immensely, because it abuses the trust that we take unto ourselves, provided by the 22 000 people who each put us here, that we will do our job without being influenced by someone else. If you do not draw the line there, where do you draw it?

Can you eventually then say that you will walk in and out from any formal place such as the bar or beside the Chair on entering from the rear of the Chamber without acknowledging the Chair when it pleases you? If you can talk across the barrier, why cannot you bring a stranger into the Chamber from the other side of the barrier? That has happened once! However, to provide this means of dealing with somebody leaves it too open to the subjective attitude and the frame of mind of the Speaker of the day toward the individual member. Members will be victimised. There will be victimisation.

Mr Hanna: That is what is happening now.

Mr LEWIS: I do not think so. How many times has the honourable member been named and thrown out? There has been victimisation, but there are many fewer instances with 'naming'.

Mr Atkinson: You were a victim.

Mr LEWIS: I did not say that. I will come to that in a moment, with the Chair's indulgence. If a member finds that the matter under consideration before the Chair causes them angst in their electorate, if it is a split deal for them and no win anywhere and if they will lose a lot whichever way they vote, they can kick up a helluva hullabaloo in a way which distracts everybody to the point where the Chairman says, 'I will send you out—go cool your head off'.

The CHAIRMAN: Order!

Mr LEWIS: While the member has been put in the sin bin for 40 minutes, the division is called and the member can claim publicly that he or she was victimised and could not participate in the vote, thereby getting out of being held responsible for what happened in the vote. They will not have had to choose. Or a member of the political Party to which the member belongs may decide that it is better for that person to do just that—get out of the Chamber, get chucked out—and be absent while the division is on. I can see that as a prospect.

Further, and of about the same seriousness from where I sit, is the position that members who have been in the sin bin during the course of a division can then claim that they were treated unfairly by the Presiding Member in the process. Whilst that is serious and will result in their probably being named again, if it is a matter under debate at the time in

which the public is very much interested, they could win strong sympathy from a particular group by so doing. That further prostitutes the role of the Parliament for their own personal gain. I do not want to see that sort of thing happening. The Standing Orders are there now, adequate for the purpose of dealing with people who have misbehaved.

I may be convinced, if the member for Spence were willing to include all Presiding Officers of the Chamber (whether people to whom the authority has been delegated or not, whether they have been delegated that authority or are themselves as you are, Sir, the authority in the Chair), or if we gave it a test in Sessional Orders rather than putting it into Standing Orders straight up. I cannot support it as it stands at present for all those reasons.

I add the strength of feeling I have personally as a member. I have spoken as I think any member would speak if they thought it through today. I was chucked out of this place not once but twice and on both occasions denied natural justice in any and every forum in which it would have been possible for me to defend myself. It was not just on the matter to which the honourable member for Spence drew attention.

Mr Atkinson interjecting:

The CHAIRMAN: Order! Under Standing Order 364, I ask the member for Hammond to wind up his comments, please.

Mr LEWIS: Certainly, I will. On that occasion there was more than just that. There was also the only letter that my wife ever wrote about the injuries she sustained after working late in my office and leaving just before 10 p.m., falling down the stairs and injuring herself. There was only ever one letter seeking advice on how to fill in her Medicare claim form, whether to say there was any compensation available to her from any other source and whether or not the bills would be paid. That letter got into the hands of the press and it disappointed me—

Mr Atkinson: I wonder how that happened.

Mr LEWIS: I do not know where and how it happened, but it disappointed me intensely—

The CHAIRMAN: Order! The Chair would suggest to the member for Hammond that there is concern about relevance in this matter.

Mr LEWIS: It is a subjective decision and illustrates the point I am making about Presiding Officers making subjective assessments of people in the Chamber or people in any way and adds to the remarks made by the member for Spence. Those incidents of April last year I may forgive but I will never, ever forget.

Mr CONLON: I rise to support the institution of what is colloquially known as the sin bin. This may come as a surprise to some people here who might have known me in the past as having a reputation for being tempted down the path of unruliness, but this afternoon I had a near death experience. As so often with those circumstances, I saw things with a new perspective. I stood at the precipice, I stared into the abyss and I knew what the consequences of my unruliness were.

An honourable member interjecting:

Mr CONLON: I am coming to that. I stared deep into my soul and I saw a blemish of unparliamentary naughtiness. That is true: I sinned. I asked for forgiveness in this kind Chamber and it extended that forgiving hand to me. I sinned, and I should have been binned, as the member for Spence says. I was unruly. I had it coming to me but, fortunately, the kind hearts in this Chamber—and of course my own burgeoning popularity—saved me from the fate that I might well have endured.

As a good Catholic I can say this: I sinned and I was forgiven, but a good Catholic knows that, while you get forgiveness, you also must do your penance. The sin bin is precisely the penance to fit the sin. I do not agree with the member for Spence that it will mean it will be more fair. I assume that, because of our natural exuberance and passion for the truth, Opposition members will suffer the sin bin more than others if it is introduced, but we will go into that sin bin, that metaphorical cage, we will do our time and we will emerge better and purer people.

The Hon. G.M. GUNN: I am pleased to have the opportunity to say a few words in relation to this matter. I do not know whether members are aware of how the sin bin operates in New South Wales; I do not know whether members are aware that the members are paraded and placed behind the Speaker's Chair and have to sit there like naughty school children.

Members interjecting:

The Hon. G.M. GUNN: No: not allowed to leave even to go to the conveniences. This is how childish it is: the Speaker told me that they ask, 'Can we leave?' and he says, 'No', and normally a couple are placed there, I think to even it up at the one time, so they sit there like errant schoolboys involved in a most childish escapade. If members opposite really want to be fair dinkum—

Ms Rankine interjecting:

The Hon. G.M. GUNN: The honourable member would qualify on the first day. If members really want to be fair dinkum about making members of Parliament front up and act in a responsible manner, hit their pockets. That is what happens in certain Parliaments around the world. If they get suspended—

Mr Atkinson interjecting:

The Hon. G.M. GUNN: They get a couple of hundred dollars taken off their daily allowance.

An honourable member interjecting:

The Hon. G.M. GUNN: No, it is not tax deductible. If members want to be fair dinkum about this matter, do not trifle around the edges. Any member—

An honourable member interjecting:

The Hon. G.M. GUNN: No, in most cases in my experience in this Parliament any member who has been named knows full well what the end result will be. I am one of those who believe that members should be able to express themselves freely and frankly, but if members really—

Mr Atkinson interjecting:

The CHAIRMAN: Order!

The Hon. G.M. GUNN: If the honourable member had been in some other Parliaments in the Westminster system around the world, he would have been in far more trouble. I do not know whether members opposite have actually studied the Standing Orders in a number of other Parliaments where the Presiding Officer just says, 'Under Standing Order [whatever] you are out.' There is no vote and no debate: you are frog marched straight out.

Mr Atkinson interjecting:

The Hon. G.M. GUNN: No, you will have members sitting in the box there, sitting bolt upright for 45 or 50 minutes. My view is that it may be well intentioned—and I have been charitable—but I think it is unworkable. Now, a few most uncharitable things have been said about me—

An honourable member interjecting:

The Hon. G.M. GUNN: Yes, they were said about me personally. Let me first refer to the comments made by the member for Hammond. I think it is most unfortunate that the honourable member chose the words that he did. I have the ability to respond in this place to any comments that are made, but the matter which he raised was handled in a professional manner by the staff of this Parliament. I think it is very unfortunate that any suggestion would be made that those people, or anyone else who works in this place—

Mr Atkinson interjecting:

The Hon. G.M. GUNN: Well, if he was suggesting me, that is absolutely untrue. Advice was sought and the process was handled in the normal way. I think it is most unfortunate that those comments were made. One could ask, 'Why was that person in this building after hours when the member was not here?' It is not usual for members' spouses to be in this building when the members are not here at 10 o'clock at night. I say no more. The Leader of the Opposition indicated that somehow—

Mr FOLEY: I rise on a point of order, Mr Chairman. You ruled earlier today that the Leader of the Opposition had strayed somewhat from the substance of this amendment. References to what occurred in the former Parliament about the spouse of a sitting member of this place is about as far as it gets and I would ask that you bring the member back to the amendment.

The CHAIRMAN: I believe the member for Hart was out of the Chamber at the time when the matters that the member for Stuart is now canvassing were raised, but I remind the member for Stuart of the matter of relevance as it relates to this particular matter.

Mr ATKINSON: I rise on a point of order, Mr Chairman. The member for Stuart has made an imputation against the spouse of a member of the House—an allegation of impropriety and one which reflects, I think, on the member—and I ask you to request the member for Stuart to withdraw.

The CHAIRMAN: Order! There is no point of order. If the member for Hammond believes that he needs to take some action he will do so.

The Hon. G.M. GUNN: It is rather interesting in this place: certain members like to hand it out, but when members respond they seem to take umbrage.

The Hon. M.D. Rann: Spouses are not here to respond, are they?

The Hon. G.M. GUNN: I would suggest that the comments made were directed—

Mr Atkinson interjecting:

The Hon. G.M. GUNN: Listen, sunshine, I am not frightened of you. Any day—

The CHAIRMAN: Order!

The Hon. M.D. Rann interjecting:

The Hon. G.M. GUNN: I have very vivid memories of the Leader's sliding up to the Chair in his smooth way and saying, 'We'll be on our best behaviour, don't worry' and within two minutes you would know that he was going to do just the opposite. He had the affront to say that Government press secretaries were going around saying that I had said certain things. I have never had a discussion with any Government press secretary on how or when—

The Hon. M.D. Rann: He was up there telling the media that Ralph Clarke was going to get thrown out that day.

The Hon. G.M. GUNN: That is unfair.

Mr CONLON: On a point of order, Mr Chairman, surely there has to be at least some tenuous relevance to the matter at hand.

The CHAIRMAN: Order! I uphold the point of order. We are all tired. The debate on the matters before the Chair has a long way to go. So, I ask the member for Stuart to wind up his comments.

The Hon. G.M. GUNN: I understand that the clock isn't on.

The CHAIRMAN: Yes, it is.

The Hon. G.M. GUNN: If members want to keep taking points of order, all that will do is—

Mr FOLEY: On a point of order, Mr Chairman, that remark is a direct reflection on the Chair. You made the ruling, not the Opposition. I ask that the member for Stuart be brought to order.

The CHAIRMAN: Order! I advise the member for Stuart that he has approximately 5½ minutes left to speak. I also again remind the member for Stuart that we have a long way to go in this debate. I ask him to wind up his comments.

The Hon. M.K. BRINDAL: On a point of order, Mr Chairman, will you inform me of the time limit for statements in Committee?

The CHAIRMAN: The Chair reminds the Minister of Standing Order 364. He can look it up for himself. The member for Stuart now has 4½ minutes left.

The Hon. G.M. GUNN: We will get another slice of the cake directly. In addressing this matter, certain members have used the debate as a vehicle to make comments, many of which refer to me, which are quite untrue and without any foundation whatsoever. I reject those comments—they are not true. For the Leader to come in here and peddle those sorts of comments is unreasonable and unfair, because they are not based upon fact. Not once during the period to which he referred did I ever have a discussion with Government press secretaries about what was going to take place, because in my view it would have been improper and had nothing to do with them. I suggest to the Leader that this is a figment of his imagination.

Mr CONLON: On a point of order, Mr Chairman, this is precisely the point on which I raised my last point of order and on which you ruled and asked the member to come back to the point. I ask you to uphold your earlier ruling.

The CHAIRMAN: The Chair reminds the member for Elder that the comments being made by the member for Stuart are in response to comments made earlier in the debate by the Leader of the Opposition.

The Hon. G.M. GUNN: I place on the public record that these comments, like many comments made by the Leader, are grossly inaccurate and bear no resemblance to fact. There are a number of other things that I could say regarding the Leader and the fact that I made requests of him and he never delivered, but I will get the chance as the evening goes on—there is plenty of time.

This suggestion like a number of others superficially looks like a good idea, but I guarantee that if a Presiding Officer used this provision against the member for Elder, the member for Hart or the member for Ross Smith they would protest about how unfair it was and say that the Presiding Officer was biased and picking on the Opposition. Of course, they never look in the mirror at their own behaviour and see that they are being disruptive. It was alleged that Opposition members were being named.In the previous Parliament the member for Mawson and the member for Hammond were named—

Members interjecting:

The Hon. G.M. GUNN: The member for Mawson was named.

Mr Foley: He was not.

The Hon. G.M. GUNN: Yes he was. I could say to the honourable member if he was away—

Mr Atkinson: You are misleading the House. He never was named.

The Hon. G.M. GUNN: He was named.

Mr Atkinson: That's nonsense.

The Hon. G.M. GUNN: Look up the record.

An honourable member interjecting:

The Hon. G.M. GUNN: Well, I will look up the record now and prove that I am right. I do not support this proposal. In my view, it is a lot of academic nonsense.

Mr CLARKE: I rise to support the amendments to Standing Orders moved by the member for Spence. However, with respect to the reference by the member for Spence and the Deputy Leader to the advantages that apparently accrue to persons who are loud and noisy and behave badly, namely, being well rewarded with extra publicity, if I were to sit any further back on the back benches I would be out on North Terrace. I fail to see the advantages despite the fact that I have been suspended on five occasions in the last Parliament and one occasion in this Parliament so far.

If I were opposed to this proposal, I would say that one of the reasons why there is so much frustration among Opposition members is the refusal of successive Speakers to enforce Standing Order 98 during Question Time when Ministers do not answer the substance of questions. Because Ministers refuse to answer questions and use Question Time simply as a vehicle with which to attack their political opponents, this causes Opposition frontbenchers and backbenchers continually to interject and try to get in supplementary questions.

If I were opposed to this concept of a sin bin, I would argue that Standing Order 98 should be enforced, and I would also contemplate the fact that it devalues the currency with respect to the naming of persons in this Parliament. It would make it too easy for a Speaker to get rid of a member whom they viewed as troublesome simply by suspending that person at a crucial time in the debate and putting them into a sin bin for up to an hour without having to face full debate in this Chamber over the naming and suspension of that member. At least then if the ruling by the Speaker was patently unfair, that could be exposed by the media and generally.

If I were opposed to the sin bin concept, I would argue that it could lead to worse behaviour on the part of members, because they would know that they would only be suspended for up to a maximum of an hour and be back in the Chamber in time to vote on important matters, particularly as for a number of years in this State the balance of power as far as Government majorities is concerned has been fairly evenly spread. Those are the points that I would consider if I were opposed to the sin bin concept but, as I am not and as I support the proposition, I will conclude my comments at this point.

The Hon. M.K. BRINDAL: In order to bring some perspective to this measure, we must consider what we are doing. I do not think some members of the Opposition have done that. The Speakership of the House is the most elevated position with which this House can honour one of its members, but the power of the Speaker resides not in the Chair or in the Speaker's position but in the House itself.

What happened today is one of the best examples of that. The Speaker ruled that the member for Elder was out of order. He named the member for Elder. The Speaker was right in saying that the matter would then be in the hands of the House as to what it would do in the face of an offence which he stated had been committed. So, as is the custom in this place, the member for Spence rose and asked that the explanation be accepted by the House. The House chose to accept the explanation, and the member for Elder was not suspended.

Whether it is the member for Ross Smith, the member for Elder or anyone else, the most valuable freedom which this House claims for itself, Parliament after Parliament, is the undoubted and ancient right of freedom of speech. It is our most precious right, and it is claimed by the Speaker on our behalf. That is why the Speaker alone cannot throw anyone out of this House. That is why, no matter how many times the member for Ross Smith or I might be thrown from this place, it is done on the motion of the House and on a vote of the House. The Speaker in this place has no power to suspend a member. That is an ancient tradition and one that should be savagely upheld, because to give anyone the power to suspend another member is to infringe on the House's sovereignty and the House's right to hear its members and the House's right to discipline its members.

I put to members that that is what is wrong with this motion. For the first time in the history of this Parliament this Opposition seeks to take from the House, from the body of 46 elected members, a power that they have, and give that power to a Speaker. I do not care whether it is our current Speaker—whom I consider to be very good—or any other Speaker. What is important is that I do not believe that the House should give away one of its most precious and sovereign powers—and I say this charitably; I am sure that the mover would not intend for this to occur—for it could be used, as has been said here, for base political purpose, either in the manipulation of suspending someone, getting rid of them for an hour, or by using it with the intention of being suspended for an hour in order to make some particular point.

We do not name people easily and we do not name them often, and that means that we sometimes get away with rather more than we should. But we suffer the consequences of being judged by those with whom we work and by those who are in the galleries watching us. We suffer those consequences and we take those things for good reason, and that is that to suspend someone from this House is not a light matter: it should not be done lightly or capriciously, and there should not be a short cut. Either the transgression was serious enough that the member for Elder should have been suspended for the day, or it was not serious enough. We should not play games, hedge our bets and have these mickey mouse measures that seek to do something that they clearly will not do.

I value the contributions and the institutions of this House, and I am seriously worried about some of what I see. I believe that, rather than move to have a sin bin and all the rest of it, we could much improve the behaviour of this House by one simple regulated action, and it is this. Standing Orders clearly say that any member at any time has a right to stand on a point of order. But they have no right to stand and make a political statement. Too often in this House we see members rise on a point of order, but they do not say, 'Mr Speaker, I have a point of order. The point of order is Standing Order 198'. The member for Ross Smith is rather better at taking Standing Orders than many of his colleagues, because many of his colleagues stand and make a political statement that is not even relevant to a point of order, and that is clearly against Standing Orders. The Standing Orders provide that a member, on rising to his feet, must state the point of order and then must sit down. A point of order should not include

comments about the Premier, Ministers or any other person. Too often we see the taking of a point of order being used—

Mr Clarke interjecting:

The Hon. M.K. BRINDAL: —for political point scoring and debate. I will conclude by agreeing with my colleague. The Standing Orders are rather vague on the—

Mr Clarke: No, it's not vague—

The Hon. M.K. BRINDAL: No, the Standing Orders are rather vague as to the level of detail that Ministers must give in their answers. I have had the privilege of being here a bit longer than the member for Ross Smith, and I remember some of the best prevaricators that it will ever be my pleasure to hear. The Hon. Susan Lenehan was an absolute wizard at spending 20 minutes telling you everything from the colour of her broach and the sort of fashions that were in, especially if you were asking questions—

Ms Hurley: That comment is uncalled for.

The Hon. M.K. BRINDAL: I do not care whether she wore a broach or not. I might comment on the colour of my broach. I do not understand how you can think that is a sexist comment. It rather says more about the Deputy Leader than it does about me.

Ms Hurley: You said it deliberately to imply that she was frivolous.

The CHAIRMAN: Order! I ask the Minister to bring his comments to a close.

The Hon. M.K. BRINDAL: I will conclude by absolutely denying that I believe that the Hon. Susan Lenehan was frivolous. If that shows your own opinion, that is your opinion: it is certainly not mine.

Mr HANNA: I am not sure whether there is anyone left in the Chamber who has not made up their mind about this provision. However, I found it very interesting that the members who indicated their opposition to the proposal took an unrealistically rosy, idealistic view of things, saying that the solution was really to improve the fairness and the behaviour of the Speaker of the day rather than playing with the rules to ensure that it is a fairer system altogether. The member for Bragg suggested that this proposal was deficient in that it did not provide a penalty that was serious enough. He completely overlooks the fact the serious penalty which provides for a member to be named and suspended for a day.

The member for Hammond, in his contribution, made great play of the subjective nature of the judgment that the Speaker from time to time would have to make in evaluating who should be sent out to the sin bin. Of course, that is the situation that operates now, as far as warning or naming a member is concerned. It is that scenario which we are concerned about and which we want to do something about by introducing more flexibility to the system.

One of the problems at the moment that contributes to unruly behaviour is the fact that naming with a full day's absence as penalty is such a serious result that a lot of rope is given to individual members before it is imposed. If there were a smaller penalty to fit the crime, as it were, that penalty would be likely to be used more. We are saying on this side, as an Opposition, that we want it to be used more and that, in the long term, that will result in a better Parliament, because there will be a quick, ready and just penalty for those who moderately misbehave. It is that moderate misbehaviour that needs to be addressed by this provision.

I particularly want to recognise the member for Ross Smith and his contribution, with his passionate pushing and pressuring for this proposal to come into practice. He took a very balanced and even-minded approach, and he was able to deal with the other side of the argument as well. Agreeing to this provision will not mean that members will lose anything. For those members who perhaps have not made up their mind yet, there is nothing to be lost by introducing this proposal. At the moment, we have either naming or nothing where there is misbehaviour on the part of a member. Why not have something halfway? What will we lose by that? Let us do that, and give the Speaker of the day that option. We will not lose anything by it.

Mr WILLIAMS: This is a very interesting proposal by the member for Spence. I just wish that the Committee would step back a little and reflect on what we are trying to do here. Maybe quite a few of the members who have spoken and taken a position on this are, indeed, trying to improve the standard of behaviour in this House. I would say 'Hear, hear!' to that, and I believe that a lot of people not only inside this place but also outside would say a resounding 'Hear, hear!' to that.

It interests me why we are debating this provision. The member for Mitchell just questioned whether all members have already made up their mind, and certainly the member for Ross Smith has made up his mind. Of course, he has that dilemma where he has made up his mind and knows what should be done and he is hoping, as are many other members on that side of the Committee, that the members on the cross benches will save the day and vote with the Government and put this proposal down.

Of course, this Chamber is a political House. Political nature is such that it is a theatre—and it is a wonderful theatre. Politics is all about theatre and perception; indeed, that is what this proposal is about. This proposal is about perception, because the Labor Opposition, as it is disrupting the House during this parliamentary session, will go to the people of South Australia and say, 'We tried to do something about it.'

An honourable member interjecting:

Mr WILLIAMS: It would be disastrous for members opposite if we did.

Mr Atkinson: Do it.

Mr WILLIAMS: Don't tempt me. If I did not care more for the institution of this Parliament, I might be tempted. But as the member for Unley has pointed out, there is something larger than us all, namely, the institution of this Parliament. If two contributions tonight have pinpointed the nexus of this whole proposal and what it may or may not do to this Parliament, they are those of the member for Unley, whose contribution was very pointed and apt, and the member for Ross Smith.

The member for Ross Smith referred to a couple of the points I thought of when I first read this proposal. First, this proposal allows the Opposition to play the political game and say, 'We tried to sort it out,' whereas it is my belief, that of the member for Ross Smith and a lot of other people that if this proposal became one of our Standing Orders it would make the level of behaviour in this House much worse than it is already.

I make the analogy between disorderly behaviour and unparliamentary behaviour and whether you have been partially disorderly or partially unparliamentary and you therefore go into the sin-bin; or you are being disorderly or unparliamentary and are expelled from the House by Parliament. It is a bit like the old story about the school girl and whether she is 10 per cent pregnant or totally pregnant. I think the analogy is quite good, because I believe that disorderly behaviour is disorderly behaviour and should be

treated as such. If this proposal is carried by the Committee, it will be counterproductive to the member for Spence's argument in putting it forward.

Mr ATKINSON: Earlier during the member for Stuart's contribution I expressed some surprise and scepticism about whether the member for Stuart when he was the Speaker had ever named the member for Mawson. The member for Stuart has referred me to the *Hansard* of Wednesday 5 February 1997 which reads as follows:

The SPEAKER: Order! I name the member for Mawson for continually interjecting. Does the member for Mawson wish to be heard in explanation or apology?

Mr BROKENSHIRE: I apologise, Mr Speaker.

The honourable member was then let off. The member for Stuart is absolutely right: he did name a member of the Government other than the member for Hammond, and I certainly apologise to the member for Stuart for expressing scepticism about his story.

The Committee divided on the new standing order:

AYES (19)

Atkinson, M. J. (teller)	Bedford, F. E.
Breuer, L. R.	Clarke, R. D.
Conlon, P. F.	De Laine, M. R.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Hill, J. D.
Hurley, A. K.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Stevens, L.
Thompson, M. G.	White, P. L.
Wright, M. J.	

NOES (23)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G. (teller)
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	McEwen, R. J.
Meier, E. J.	Oswald, J. K. G.
Penfold, E. M.	Scalzi, G.
Such, R. B.	Venning, I. H.
Williams, M. R.	

PAIR(S)

Snelling, J. J.	Olsen, J. W.
Ciccarello, V.	Maywald, K. A.

Majority of 4 for the Noes.

New Standing Order 139A thus negatived.

New Standing Order 145A.

Mr ATKINSON: I move:

Insert new Standing Order 145A as follows:

An aggrieved citizen (not being an organisation or corporation) may make a written submission to the Speaker who will refer the submission to the Standing Orders Committee for its consideration and recommendation that either no further action be taken, or, that a response by the aggrieved citizen be published and printed in *Hansard*. The Standing Orders Committee is empowered, in consultation with the aggrieved citizen, to publish an edited version if it thinks fit.

New Standing Order 145A allows citizens the right of reply in circumstances where a citizen believes he or she has been unfairly defamed under parliamentary privilege. Parliamentary privilege is important to us. It is important that members of Parliament should be free to say what they wish in Parliament without being impeached or tried elsewhere. That right came into effect as a result of the 1688 Bill of Rights. I am a supporter of that Bill of Rights and no other.

However, I think there are occasions when our right to free speech in Parliament has been abused when members of Parliament have used their immunity from the laws of defamation to injure a citizen unfairly, and, so, many Parliaments have introduced the citizen's right of reply. It was introduced in the Senate in 1988: it has been in the Australian Senate for 10 years.

Mr Williams interjecting:

Mr ATKINSON: The member for MacKillop refers to Senators as unrepresentative swill. I am surprised.

Members interjecting:

The ACTING CHAIRMAN (The Hon. R.B. Such): Order! The member for Hammond has not got the call. The member for Spence has.

Mr ATKINSON: The member for MacKillop may refer to the States' House as unrepresentative swill, but 10 years ago it resolved to introduce the citizen's right of reply and it has been operating in the Senate for 10 years. I would like the member for MacKillop or any other member who is going to vote against the citizen's right of reply to tell this Committee how that provision has operated unfairly in the past 10 years in the Senate. I challenge the member for MacKillop to give the Committee examples of where the citizen's right of reply has been misused in the Senate or been badly applied. I challenge him to do that. If he is to vote against this proposition, I presume he has those examples to hand.

So well has the citizen's right of reply worked in the Australian Senate that last year it was adopted in the House of Representatives, on the motion of the Hon. Peter Reith and supported by Simon Crean for the Labor Party. Some members may say, 'If a citizen has been unfairly treated by a member of Parliament's use of free speech, can't that citizen find just one member of Parliament—possibly a member of Parliament on the other side of the House—who can put the citizen's point of view under parliamentary privilege?' Superficially that seems a good point, but sometimes it is simply not in the interests of the other party to defend the citizen who has been unfairly defamed under parliamentary privilege. Perhaps that citizen is not a popular person; perhaps that citizen is shunned by both major Parties—

The Hon. R.G. Kerin interjecting:

Mr ATKINSON: Quite so; as the Deputy Premier interjects, perhaps the citizen defamed is a Democrat or a member of a minor political Party despised universally in the House. Perhaps the unfair defamation was by a Democrat and neither of the major Parties sees any point in defending that citizen. It is important that a citizen be able to approach the Standing Orders Committee and put to it a form of words in rebuttal of the unfair defamation under parliamentary privilege.

The provision in the Senate and the House of Representatives runs to at least two pages. It is a very long Standing Order and, rather than go into the detail of that provision, I have proposed just one paragraph under the heading 'Citizen's Right of Reply'. An aggrieved citizen cannot just come back in any way. What the aggrieved citizen proposes to be published in *Hansard* will be edited by the Standing Orders Committee. The Standing Orders Committee will not cop frivolous, vexatious or defamatory material: it has to be a factual, sober and succinct reply. The Standing Orders Committee will make sure that it is.

If members of Parliament are to have the respect of the public, we will have to exercise our parliamentary privilege against our speech being impugned in any other forum in a more responsible way. It is good, if this is carried, that members of Parliament will have to think twice before using parliamentary privilege to defame citizens. It is good that we should have to think twice about what we say. We should have to contemplate the possibility that that citizen will come back in *Hansard* in a succinct, sober and serious way.

I recommend this change to the Committee. I cannot imagine what arguments will be put up against it, apart from its being an Opposition proposition. It is an idea whose time has come. Not only does it apply in the House of Representatives and the Senate but also it applies in the New South Wales Legislative Assembly and Legislative Council and in Queensland, and it is under consideration in Victoria and Western Australia.

The Hon. R.G. Kerin interjecting:

Mr ATKINSON: The Deputy Premier interjects and says, 'Get rid of parliamentary privilege altogether.' That is a manifestly absurd proposition.

The Hon. R.G. Kerin interjecting:

Mr ATKINSON: It is not where I am heading. What the Deputy Premier is proposing would wind back the hard won rights of the Bill of Rights of 1688. Parliamentary privilege is something on which our modern Parliament is founded and it would not function in a worthwhile manner without it. Just contemplate members of Parliament being sued for every criticism they made of each other and citizens in the course of a parliamentary day. The defamation courts would be clogged and members of Parliament would not be able to speak their minds freely. It is just an absurd proposition from the Deputy Premier that parliamentary privilege be abolished altogether. This amendment is not leading in that direction. It is introducing a heavily qualified—

Mr Williams interjecting:

The ACTING CHAIRMAN: Order! The member for Spence should ignore interjections, which are out of order.

Mr ATKINSON: This proposition will increase respect for members of Parliament. It will make members of Parliament think twice before they defame members of the public under parliamentary privilege. It will lead to a higher standard of debate. If there is a bucket to be dropped in Parliament, it will be dropped a lot more carefully after this provision comes in. All we are proposing is a modest and limited right of reply, which would be vetted by the Standing Orders Committee. I urge the Committee to accept this worthwhile amendment, which is supported widely in South Australia.

The Hon. M.D. RANN: I support this proposal. Of all the proposals before this place tonight, this one most deserves the support of all members of Parliament. It is a recognition that this Parliament is not owned by the parliamentarians: this Parliament is ultimately subject to the will of the South Australian people, and so are we as members of Parliament. So what I am suggesting is not, as the Deputy Premier says, to do away with parliamentary privilege. The whole point of a Parliament, apart from enacting the laws, is for members of Parliament to speak without fear or favour about issues which they genuinely believe to be true.

People have been defamed in this Parliament over the years inadvertently by members of Parliament. Members of Parliament have come in here and said things which they had been told and which they believed to be true about individuals so that, for posterity—for the hundreds of years that *Hansards* are kept—those individuals will be forever known by that alleged indiscretion, abuse or crime. We heard one member of Parliament accuse a citizen of murder, and that was not true. We have heard the member for MacKillop talking about the South-East water deal. I doubt whether he would be able to say those things outside Parliament without being sued, but I believe that he said those things in the genuine belief that what he was saying was true.

I revealed matters in this Parliament about a former member for MacKillop. Not only did they turn out to be true but that member of Parliament lost his position on the front bench and then his seat in Parliament. So, we are not talking about members of Parliament necessarily deliberately abusing parliamentary privilege to defame someone: we are saying that in most instances people can be defamed inadvertently, but cases have occurred in which parliamentary privilege has been abused.

So, what does the citizen do? Generally, the citizen has to say, 'Say it outside cowards' castle; come and say it outside the Parliament' and so on, but that does not achieve a remedy to the record for posterity. We do not suggest giving members of the public who are innocent and who have been defamed the right to come back and have a go at the member—to have a slag back—or the right of parliamentary privilege to say what they like: we are saying that people whose livelihoods and reputations have been harmed, either deliberately or inadvertently by what a member of Parliament says in this Parliament, should have a procedure by which they can ask the permission of the Parliament to set the record straight—not to argue vexatiously but to say, 'This is not the case,' then point out why.

As for people saying that this is the end of parliamentary privilege, I point out that it has worked in the Senate and has been adopted by the House of Representatives and the New South Wales Parliament and, as the member for Spence said, it is under consideration in Victoria and Western Australia. What are we so frightened of in this Parliament that we cannot give the people who elect us—the people who give us our parliamentary privilege—the right to protect and defend their reputations? I commend this measure to the House.

Mr Clarke interjecting:

Mr HILL: I will talk to the member for Ross Smith later. I want to speak briefly on this matter, because it is an issue about which I feel quite passionately and it is one that I have raised in the Labor Party forums over the years. As members would know, I am not a person given to wild and outrageous statements in this House. I have not been named, cautioned or warned. It is a matter of some chagrin for me within my Caucus that I have not had any of these things attributed to me, because I am being picked on by my colleagues for not being rowdy enough. I thought it would be an interesting exercise to look through the *Hansard* record to see how many times I had been mentioned by members of Parliament before I was elected to this place. I went through the electronic survey last night. I did not do a very thorough search but, in about five minutes, I was able to discover my name referred to by a number of members of this Parliament prior to my being elected to this House.

Many of the references dealt with my time as a candidate: naturally enough, the former member for Kaurna, Lorraine Rosenberg, had referred to me, I believe sometimes in a defamatory way. Also members of this and another place had referred to me and made comments about me in my capacity as the State Secretary of the Labor Party and the Party organiser over the years. In fact, references were made to me

in my earlier role as ministerial assistant going back about 10 years. So, in all those capacities I had been referred to by members of this place, and on several occasions, I believe, I had been defamed. Claims had been made about me, and I had been accused of doing things that were not true.

As a non-member of this place, I did not have the ability to set the record right. As the Leader of the Opposition said, historians who trawl through looking at the record of an individual may well come across my name and believe that the things that were said about me were true and that I had acted improperly in a range of ways. So, I believe very strongly that a person who has been defamed in this place should have the right to put his or her version on the record for the sake of history apart from their own general satisfaction about having set the record right.

Some will say, 'You're a member of the Labor Party; you have 20 or 30 mates in there who could get up and speak on your behalf and put the record straight on your behalf.' That is true and, on a number of occasions, especially when the former member for Kaurna was having a go at me, my colleagues and friends here were able to make the point clearly that she was wrong, and they were able to correct the record. But many other people, some of whom are involved in politics, do not have that opportunity. If I had been a Green candidate or a One Nation candidate standing at the last election, nobody in this House would have defended me. Mrs Rosenberg would have been able to come into the Parliament, make outrageous statements about me, claim I had done all sorts of illegal, improper or immoral things, and nobody here would have corrected the record. Her statements could then have been distributed widely within the electorate in a way which would have damaged me and I would not have had the ability to stop her from doing it, because it would have been under parliamentary privilege. If I had had the capacity to set the record straight, in that way I could have defended myself.

I feel very strongly about this issue. It is important that, if citizens have been referred to in this place in an improper or defamatory way, they have the right to set the record straight to sort out their own sense of grievance and also for the sake of history so that future historians or people who read *Hansard* casually will get an accurate understanding of what might have happened.

The Hon. J.K.G. OSWALD: A few weeks ago this matter came before the Government Party room and, as Chairman of the Standing Orders Committee, I was asked to give a presentation to the Party room on some of the issues that were incorporated in this concept. The form of words in the motion tonight is the same form of words which we looked at in the Standing Orders Committee and which went before the various Party rooms. It was a form of words designed to be more of a thought-jogger to get people thinking about the issue, rather than trying to summarise everything in the two-page resolution which was passed in the House of Representatives on 22 August 1997 and which puts into more reality how the system would work.

As a result of the discussion in the Government Party room, I, as the Chairman of the committee, was asked to undertake further research over the Christmas break and report back to the Party room. We are doing that because some members feel strongly both ways, having had differing views at the time and having raised many questions relating to this issue that they want answered. Because we could not give researched answers at the time, certain decisions could not be taken. There are a couple of issues here which stand out and which prevent us from putting this through tonight, anyway, as we need to do a lot more work on them.

The first is that the resolution here is in fact a Standing Order. Nowhere in New Zealand, or in the Commonwealth, have they put in a Standing Order: it has always been done by resolution of the House. The House of Representatives adopted a resolution in August 1997. As the member for Spence correctly pointed out, in 1998 a resolution went through the Senate. In the New South Wales Legislative Assembly it was adopted by resolution, as it was also in their Legislative Council, and in Queensland it was adopted by resolution. Interstate it has been done by resolution and not by Standing Order.

Secondly, the resolution gives the Speaker a pivotal role in the filtering mechanism. The resolution before us tonight does not do that. The resolution says very specifically:

> The aggrieved citizen may make a written submission to the Speaker, who will refer the submission to the Standing Orders Committee.

In this case there is no role for the Speaker, other than being the postman. However, when we go to the resolution passed through the House of Representatives it is very specific and states:

> Where a person has been referred to by name or in such a way as to be readily identified in the House makes a submission in writing to the Speaker—

and this is the key point—

> and if the Speaker is satisfied that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate, that it be considered by the Privileges Committee and that it is practical for the Privileges Committee to consider the submission under its resolution, the Speaker may refer the submission to that committee.

It is absolutely vital if this is to work that it be incorporated in any resolution, whether in a Standing Order, or, as I prefer to see, a resolution put through the House.

It then comes to the question of the Speaker's role in a Standing Orders Committee. At the moment the Speaker has a casting vote in the Standing Orders Committee. We have seen in a Privileges Committee, with the balance as it exists in some Parliaments (and this Parliament at the moment is an example), where the Chairman of the Privileges Committee did not have the casting vote because of the balance on the committee.

The CHAIRMAN: Order! I ask the Leader and the member for Hart to take their seat. The member for Morphett.

The Hon. J.K.G. OSWALD: It is not always possible to guarantee that the Speaker will have a casting vote on the Standing Orders Committee, which means that in certain circumstances the Speaker cannot exercise that role as envisaged in the resolution of the House of Representatives. That is an issue that requires research to see what would happen if the Speaker ever lost that ability to act as the filtering mechanism.

There is also the other issue that members must consider where, once a member of the public puts a statement into *Hansard,* that statement is privileged, and the person concerned could then make a statement and the member of Parliament would not have redress in respect of that statement. Members might say that that is what is desired and, if so, they will vote accordingly. This is part of the research required to see the impact—the 'what ifs'—if we go down that track. I have covered all the issues.

In summary, as a result of that I made a commitment to the Government Party room that over the next few months,

particularly during this recess, I will attempt to find out how the mechanism works and what is the role of the Speaker as the filtering mechanism to ensure that subjects raised are not trivial or meaningless but in a form appropriate to be referred to the Standing Orders or Privileges Committee. Further, I will attempt to ascertain the implications if the Speaker of the day does not control by vote the Standing Orders Committee. The Standing Orders Committee, comprising members with experience in Parliament, would consider whether that matter should be referred back to the House and tabled by the Speaker. That is the purpose of having an experienced group of men and women from the Parliament that would meet.

I do not believe that this measure should go in if there is any chance that the Speaker cannot exercise his role in the filtering mechanism. I will research that matter, talk to Speakers in Australia and New Zealand and ascertain how it works in practice. We have research papers so far from overseas and interstate saying that it has been in existence since 1988 in some cases and in other cases as recently as 1996 and 1997. If it works I will go back to my Party room and pass on the information. I am happy to pass on that information to the Standing Orders Committee, of which I am the Chair. I intend doing some homework on this matter and reporting back. At this stage, because the motion before us excludes the role of the Speaker in the filtering mechanism, I have a great deal of difficulty supporting it.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

The Hon. G.A. INGERSON: I rise in this debate basically just to say that I think we need to be very cautious when we—

Mr Atkinson interjecting:

The Hon. G.A. INGERSON: One of the great things about the member for Spence is that he uses this place under privilege better than most, and those of us on this side of the House know it very well. I think we need to be very cautious in this whole exercise, for several reasons. The first reason is that when someone stands up in this place and makes a statement, and I believe in most instances in good faith, they make the statement and, if it is not in good faith and if it is done deliberately, it takes about 24 hours for the member opposite, whether in Government or in Opposition, to be rung up and advised that that statement is incorrect. I do not know of an instance since I have been in this place when there has not been a statement made by someone on the opposing side to correct whatever the honourable member has said. I do not ever remember that not occurring. I also do not ever remember a position of it being reported in the media where both sides of the story have not been put out in a very positive sense.

When we decide to change a very longstanding matter and adjust it in any form, and in particular reduce the privilege position, I think we have to be very careful and, consequently, very cautious. I have listened with interest to what the member for Morphett said. One of the things we should take up from his comments is that we need further time to really have a good look at this whole process. The member for Spence shakes his head, but the member for Spence takes more things out on the extreme than any member in this place. One has only to listen to Bob Francis on a nightly basis to realise how many extreme positions have been created by the member for Spence on that radio station.

I accept that in every Parliament we have to have those who are so far left and so far right. You have to have them, and the reason for that is that the majority of us have got to give the balance of reason. The member for Spence is usually out there somewhere in that balance of reason. If you look at the reality in terms of what has actually been achieved by the member for Spence over time, with his balances, he has got up those extreme points of view on very few occasions. When he has come back and been a bit more reasonable the Parliament and the community, in fact, have usually accepted it.

The CHAIRMAN: Order! I remind the member for Bragg of relevance to this debate.

The Hon. G.A. INGERSON: It is very relevant, Sir, because it is about balance.

The CHAIRMAN: Well, the Chair questions that.

The Hon. G.A. INGERSON: Mr Chairman, as I said earlier, I believe we need to be very cautious. The matter of privilege is very important in this Parliament, and probably no-one in this House can speak about it more than I can. I think we need to make sure that processes in this place actually bring out the balance of rights not only for the individuals outside this place but within it. One of the other concerns that I have is in relation to a committee deciding what ought to be done. I would always sooner take my stance or my position with one person making the decision than a committee. I also have experience of having been involved in that process, and particularly when it is a political environment.

Whilst I have tremendous respect for those who are currently on the Standing Orders Committee, because I believe it is non-political, I would be prepared to say in this place that the very first time that a letter of complaint comes from the community it will no longer be non-political. So, I am concerned that when we in good faith say that we will put it off to the Standing Orders Committee or a privileges committee we have to be very careful and think that through, because sometimes natural justice does not occur, and that is not only a matter internally but externally.

So I think we have to be very careful of committees and, as I said, as someone who knows a little bit about it, I can speak with a fair amount of authority. I am really speaking on behalf of all of you, because one of these days any one of you could be put in the same position, quite inadvertently. But we need to be very careful of committee structures when they are looking at matters of privilege.

With those few comments, I just think that we need to be cautious. I think we do need more time. I think we ought to accept the view of the member for Morphett, not only in the position of member but as the Speaker in this House, and encourage him to have a look and do some research on how it actually works. I am not opposed to the principle. What I am really concerned about is process, because when politics get involved process goes out the window, and I think we just need to be very careful.

Mr ATKINSON: Tonight the Opposition has tried to reform Parliament and tried to improve parliamentary behaviour.

The Hon. M.K. Brindal interjecting:

Mr ATKINSON: No, I am not. We have tried to introduce a sin bin to try to improve parliamentary behaviour during Question Time, behaviour which disgusts the public. Now, we are trying to deal with the vice of parliamentary

privilege being used to defame innocent citizens without those citizens having any right of reply. These are two reforms which are supported by the public of this State. The public of South Australia are crying out for standards of parliamentarians to be improved. Tonight, the Labor Opposition has tried to improve parliamentary standards and on both occasions we have been done down by the Liberal Party. That is what the record will show.

The Liberal Party in this State is defending the unfair defamation of citizens under parliamentary privilege without the right of reply, and it is the Liberal Party that is supporting the appalling behaviour during Question Time which is so repelling the public of South Australia. The Labor Opposition has tried something about it; Government members have voted us down twice; it is on the record, and we will be happy to tell the public where we stood and where you stood.

The Hon. M.K. BRINDAL: There is in this House politics and there is in this House base political trickery, and I put to this House that some members opposite may well be guilty more of the latter than the former. I say that because they clearly choose populism and simplistic argument—

Members interjecting:

The CHAIRMAN: Order!

The Hon. M.K. BRINDAL: The member for Peake says, 'Can I pronounce it right?' Even if I cannot pronounce it right, I at least know what it means and that puts me that much further ahead of the member for Peake. Parliament is in charge of its own processes and it regulates itself. Parliament is sovereign. If this Parliament feels that somebody has been wronged or slighted, this Parliament at any time can take appropriate measures to redress that wrong. As a Parliament that has evolved over centuries, we do not need to construct rules that bind us when we may bind ourselves according to the occasion on any and every day that this Parliament sits.

I have seen in this place occasions on which members of Parliament, rightly or wrongly, have got it very wrong and members who have been in this House (as the member for Spence has) will know that if a member has come in here from either side of the House and made the types of bad assertions we are discussing—really got stuck into someone who did not deserve it—they have paid a price, and they have generally paid a price for the rest of their career.

There is one thing that this House understands innately, that is, there is politics and there is fairness. When I have seen in this place someone come in and unfairly and deliberately have a go at someone who did not deserve it and that later came to light, every member, regardless of which side of the House they were on, never quite forgets. It becomes a stain on that person's character for the rest of their political career. The member for Spence knows that what I am saying is true. This House in many ways is a good judge of itself; it is in many ways the best judge of itself.

If someone is so defamed or so wronged that this House believes that person needs redress, this House can at any time redress that wrong on behalf of the citizen or allow that citizen the right of redress. It does not need to make a rule to suit every occasion, to actually address a specific occasion that the member for Spence seeks to address. I commend him for that, but I put to the member for Spence that some of the greatest wrongs in this place have been done in the name of political gamesmanship between one side and the other. It is all right for the member for Spence to say—and it is true to say—that we in this House are all equal and we have our own rights of redress.

I can remember a very famous speech made by the Hon. Terry Hemmings, in which he stood up and spent a grievance debate absolutely denying every accusation levelled at an honourable member of this place. By absolutely denying it, he successfully spread it. He did it in such a clever way—in fact, I can remember the member for Spence laughing through the whole speech—that, had the honourable member stood up and objected, all the honourable member would have done is draw attention to the accusations. That was done in the belief that whatever is perpetrated from one side of the House to the other is fair play. Some things were said on one occasion that I did not like, and they were subsequently withdrawn. The problem is this: they were subsequently withdrawn but the *Advertiser* did not choose to print the withdrawal in anywhere near the detail that it printed the accusations. That is an example of the behaviour in this House of one member towards another.

Like the member for Spence, I seek to protect the dignity and sense of decency of this House. However, the dignity and defence of members of this House starts with their treatment of one another. It certainly spreads to the treatment of our citizens. However, as I heard the member for Kaurna say—and he has been mentioned on a number of occasions—that he might have had cause for redress. However, on most occasions any remark I have ever heard about the member for Kaurna in this or any former capacity was directed towards the politics of a position or something—

An honourable member interjecting:

The Hon. M.K. BRINDAL: No, I'm not necessarily saying that it is, but it was directed towards the political rather than the personal process. This all starts with our attitude of one to another but, more importantly, this House can, on any occasion when somebody is wrong, grant redress to that person. We do not need a rule to fix specific examples in case they occur. We can fix them any time we like by the will of the House. Why do we seek to diminish the power of this House by inflicting on it rules which it can exercise any time it wishes to? I know the member for Spence may well go outside this Chamber and say exactly what he said he would say in his last contribution.

Mr Atkinson: I was just practising.

The Hon. M.K. BRINDAL: As he says now, he was just practising. If I speak to him outside tomorrow and say to him that I do not think it was well done, he will probably say to me, 'That's just politics.' For the member for Spence it might be just politics. I believe—and other members in this Chamber also believe this—we are custodians of something, and something fairly fine. The member for Spence can laugh, but we happen to be elected here for three, four or five terms if we are lucky. The institution will go on after us. It existed before us, because some people valued it. If the member for Spence wants to debase it for pure political motive and five minutes of gain, by misrepresenting the actions of this House and the reason for its deliberations, let him do so. But let him also stand judged for his consequence by those in this House who seek to understand what it is about.

Mr LEWIS: My view of the proposition that the member for Spence has put before the Chamber is that again it is put quite sincerely. However, his mistake is that most of the aggrieved parties arising out of statements made in this Chamber where the party feels as though the statements made about them are in error of fact, as well as questioning the motives of the aggrieved party, are not natural persons; they are businesses or organisations—at least that has been my experience.

Accordingly, the proposition moved by the member for Spence excludes those interests in the community from being able to answer allegations made about them, where a member says that an aggrieved citizen not being an organisation or a corporation may make a written statement to the Speaker who may refer it on, and so on. So, we will not do what the member for Spence wanted to do other than in the limited context of where a citizen, a person, has been offended. I do not mind that.

My second point is that the honourable member used the word 'citizen'. Presumably he means 'Australian citizen'. This means that those people who are not Australian citizens—

Mr Atkinson interjecting:

Mr LEWIS: No, but they may be residents and they may have been non-citizens for many years.

The Hon. G.M. Gunn: Electors.

Mr LEWIS: As the member for Stuart points out, 'electors' are identical to 'citizens', because a person who is not a citizen cannot be an elector for the purpose of elections for this Parliament.

Mr Atkinson interjecting:

Mr LEWIS: Not now. They must have registered on the electoral roll prior to the enactment of the Australia Act which took place 12 years ago. My third point is illustrated by the member for Kaurna who, prior to the last election, as a candidate, felt that he was referred to improperly by the previous member for Kaurna in the course of her remarks in this Chamber from time to time. He would have welcomed the opportunity to respond in the way in which this provision proposes to allow. If I have got the member for Kaurna wrong I am sure he will indicate that across the Chamber with a nod.

I understood the member for Kaurna to say that the former member maligned him and that he would have welcomed the opportunity to make a statement to correct that. That is another reservation that I have about introducing a proposition such as the one which the member for Spence has before us now, because at election time there will be properly elected members who make statements to the House which they think are appropriate to the interests of their electorate and their re-election.

Candidates with nothing like the intellect or integrity of the member for Kaurna—candidates of the bizarre kinds that we often see offering themselves for election—will want to appear before the Standing Orders Committee and put a proposition where there is just the slightest flutter of hope that they can get something into *Hansard* with their name on it. This will stroke their already super egos that need to be fed an enormous amount in ways which I suggest will bastardise the entire process.

The Standing Orders Committee will sit for hours on end every week considering propositions from candidates who claim to be aggrieved, and they will go out into the public arena criticising the Standing Orders Committee for either rejecting their request or forcing them to compromise it to such an extent that they will say that there was unfair interference in their right to have their point of view entered into *Hansard*.

I do not shrink from any responsibility that I have in this place, one of which will be, as a member of the Standing Orders Committee if this measure passes, to review those propositions that will be received in response to real or imagined improper remarks maligning them. They will be jumping at shadows and we will have piles of paperwork from either knaves or fools trying to get their little bit into *Hansard* about some matter or other. That is not what *Hansard* was really intended to be: it was intended to be a recording of the proceedings of the Parliament.

If members will reflect, I am sure they will all agree that fairly soon we would all like the records of the Parliament to include not only the printed record but also a digitised record of the video. I can imagine that, if we get this up within a year or two we will have people wanting to come in and stand in front of the camera and make a statement, with all the histrionics they can lay on in a way that matches what they would say were the theatrical histrionics of the member who made the misstatement about them.

I just worry, therefore, about the efficacy of the process as perceived by the public. Whilst it might address a perceived problem, in my judgment it will create a bigger problem. The better way to deal with the matter is for the aggrieved party to go to another member of either this House or the other place and have it dealt with, as it can be now. It is for all those reasons that I do not support what the member for Spence is proposing. I know that the proposition had a superficial attractiveness when it was first contemplated by Liberal members of this place, until I spoke to them—in some instances one-on-one and in other instances in the Party meeting—and they understood what I was talking about.

I want to address one other aspect in rebuttal in this debate relevant to the provisions that are now made in the House of Representatives Standing Orders following the Senate adopting this approach some 12 years or so ago, I believe it was. This House is comprised of members who are in far more intimate contact with their electorates. We have 22 000 electors per member, whereas there are over 80 000 electors per member in the House of Representatives; and Senators hardly ever have any contact with their constituents.

So, in consequence of us having closer contact with the community day to day, we raise issues that are more intimate and that are closer to the day-to-day housekeeping of life than the Federal members, who have a more detached and esoteric approach to their politics. For example, they do not care to think anything of what I believe is a scurrilous approach to dealing with legislation. They put legislation on the Notice Paper because they want it passed and then use the guillotine. They can put through 48 Bills without them even being read, and there are no second reading speeches and no consideration of the clauses. Indeed, most of the members of the House of Representatives would not have a clue what they have agreed to during the week until they are told by a constituent that a law which has been passed has flaws in it.

They accept the word of the public servants and minders of the Ministers—the Party minions and so on who inhabit those warrens in Canberra—as being gospel about what will be ideal for Australian society in respect of their constitutional responsibilities. They accept the word of those people who are removed from real life and who live in an ivory tower—and pass the legislation by guillotining it. I do not believe that that is Parliament at all. It might be a process but it is certainly not Parliament. It is about time that they got closer to the public that they are supposed to represent, so that they can understand the rate of change that they allow their minions, minders and bureaucrats to impose on Australian society. The rate of change is far too great. They are detached, they do not understand and they are not concerned by events that cause anxiety at a social level of interaction in the same way we are.

I make that point because it demonstrates the difference in the nature of the matters that are raised in grievance in Canberra compared with matters raised in our Chamber. Therefore the level and the number of occasions upon which citizens will find cause to be aggrieved at what has been said about them, or what they think has been said about them, during the course of parliamentary sittings will be infinitely less in Canberra than it will be in a Parliament and a Chamber like ours. Therefore they will not have the number of occasions upon which they will have to consider a request to print something in *Hansard*.

For all those reasons I do not support the proposal, in spite of the fact that it is superficially attractive and in spite of the fact that I have a feeling of empathy and respect for what the member for Spence has set out to do. It behoves us as individual members either to conduct ourselves better or, if anyone amongst us does not, to expect that other members in here will defend the honour of a citizen, the reputation of a firm and the standing of an organisation, firm or individual in consequence of those misrepresentative remarks that were made by the member who did not do what they should have done and carefully research the material before they brought it into the Chamber. They should taste their words before they pass their teeth.

Progress reported; Committee to sit again.

STAMP DUTIES (SHARE BUY-BACKS) AMENDMENT BILL

The Legislative Council agreed to the Bill without any amendment.

AUSTRALIAN FORMULA ONE GRAND PRIX (SOUTH AUSTRALIAN MOTOR SPORT) AMENDMENT BILL

The Legislative Council agreed to the Bill without any amendment.

ADJOURNMENT

At 10.28 p.m. the House adjourned until Thursday 26 November at 10.30 a.m.