

LEGISLATIVE COUNCIL

Thursday 20 July 1978

The **PRESIDENT (Hon. A. M. Whyte)** took the Chair at 2.15 p.m. and read prayers.

MINING ACT AMENDMENT BILL

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

QUESTIONS

IMMUNISATIONS

The **Hon. R. C. DeGARIS**: I seek leave to make a short statement before asking the Minister of Health a question regarding immunisations.

Leave granted.

The **Hon. R. C. DeGARIS**: A medical person told me recently that the number of children being immunised against whooping cough and poliomyelitis was declining. If this is so, it is a serious matter because, if there is a decline in the number of people being immunised, after many years of almost total immunisation of young people against these two diseases, a serious outbreak could occur in South Australia. Will the Minister check with his department to ascertain whether there is a decline in the number of children being immunised against whooping cough and poliomyelitis and, if there is, will his department organise a campaign to convince people of the necessity to have their children so immunised?

The **Hon. D. H. L. BANFIELD**: I appreciate the concern expressed by the honourable member. It seems from time to time that some people who should be immunised are not being immunised. From time to time, the department conducts education campaigns to remind the public of the benefits of immunisation. However, I will refer the matter to the department in order to ascertain the position and to ask it to maintain its programme of educating members of the public that they should be immunised.

STUDENT PROMOTION

The **Hon. N. K. FOSTER**: I seek leave to make a short statement prior to directing a question to the Minister of Agriculture, representing the Minister of Education, on the matter of student promotion.

Leave granted.

The **Hon. N. K. FOSTER**: Unfortunately, I do not have the latest *Teachers Journal* with me, but most members who are interested in education would have received a copy of the particular journal, and their attention would have been drawn to the report commencing on page 1 and finishing on page 12. There was a considerable in-depth report on this matter by the official journal of the Teachers Federation. This is a matter of grave concern to the teachers because it involves those who will actually have the final say concerning promotion in a particular area, in this case the area following complaints from a parent. It involves the delicate area of where the final decision lies, whether with the teachers and their ancillary advisers within a particular school, or whether it can finally be resolved by way of pressure groups outside the education system bearing on that system itself.

Has the Minister's attention been drawn to the report in

the South Australian Teachers' official journal on the department's overruling a school student's promotion? If so, will he, first, call for a report on the allegations that undue pressure was made by the parents of the student concerned? Secondly, was the political organisation named in the report involved? If so, was that influence significant to the decision taken by the Acting Director-General (Mr. Giles)? Thirdly, can the Minister confirm or deny the alleged secrecy relating to department policy document as outlined in E.D.809/3/80 of 12 January 1977? Fourthly, are there any other policy changes that are still withheld that may affect the present understanding by teachers of the department's policy involving teacher-student responsibility and decision? Fifthly, are there any members of this Parliament involved on the school council that supported the teachers' decision?

The **Hon. B. A. CHATTERTON**: I will refer the honourable member's question to the Minister of Education and bring down a reply as soon as possible.

ST. JOHN AMBULANCE VOLUNTEERS

The **Hon. C. M. HILL**: I seek leave to make a short statement before directing a question to the Minister of Health concerning the St. John Ambulance action in the Industrial Court.

Leave granted.

The **Hon. C. M. HILL**: In the public sector there is considerable disquiet about the possibility of volunteers being removed from the St. John Ambulance service as a result of the current action to which I refer. Honourable members would have read in this morning's paper of how a former Governor of this State gave evidence supporting the retention of the volunteers. The public wants to see the Government of this State taking some action to intervene in that case to ensure that a situation will not occur here in which volunteers go by the board, so to speak. Of course, that would open the door for volunteers to go by the board in dozens of other charitable and voluntary institutions within South Australian society. I draw the honourable Minister's attention to section 44 of the Industrial Conciliation and Arbitration Act of 1972, which provides:

(1) The Minister may, where in his opinion the public interest is or would be likely to be affected by the award, order, decision, or determination of the Court or Commission, intervene in any proceedings before the Court or Commission and make such representations and tender such evidence as he thinks necessary.

(2) Any other person or registered association who or which can show an interest may, with the leave of the Court or Commission, intervene in any proceedings.

I therefore ask the Minister of Health, in whose area of administration the funding of the St. John Ambulance service comes, whether he is prepared to intervene in that case and to try to assist the general voluntary effort in the St. John Ambulance movement.

The **Hon. D. H. L. BANFIELD**: We are two jumps ahead of the honourable member. The Public Service Board has already been instructed to have a watching brief in this matter and to make recommendations to the Government as it observes the progress of the case.

The **Hon. R. C. DeGaris**: Answer the question.

The **Hon. D. H. L. BANFIELD**: I have just answered the question. The Hon. Mr. Hill asked me whether the Government would be prepared to intervene, and I replied that we had instructed the Public Service Board to have a watching brief and to report to the Government.

The **Hon. J. C. BURDETT**: I seek leave to make a brief

explanation before asking a question of the Minister of Health.

Leave granted.

The Hon. J. C. BURDETT: My question is supplementary to the one asked by the Hon. Mr. Hill. The Minister said that the Public Service Board—

The Hon. N. K. FOSTER: Question!

The Hon. J. C. BURDETT: Will the Minister state definitely whether or not he has given instructions and whether or not any Government organisation will seek leave to intervene, pursuant to section 44 of the Industrial Conciliation and Arbitration Act.

The Hon. D. H. L. BANFIELD: It is obvious that the boys are not listening today. You, Mr. President, should draw their attention to the fact that, if they want answers, they should listen. I have already said that the Public Service Board has been instructed to have a watching brief, to report back to the Government, and to make any recommendations that it sees fit. If the board recommends that we intervene, we will do just that. We have already taken the opportunity to see what the position is, and we are prepared to intervene if a recommendation comes back from the Public Service Board, which is watching on our behalf.

OLYMPIC GAMES

The Hon. N. K. FOSTER: I seek leave to make a statement before asking a question of the Minister of Tourism, Recreation and Sport about the Olympic Games.

Leave granted.

The Hon. N. K. FOSTER: All honourable members are more than aware that the Olympic Games are presently in the news in several ways. Certain groups are clamouring that the next Olympic Games be held in Russia because of some particular financial interests involved in the United States, but that is not the reason for my question. I refer the Minister to a report in today's *Australian* dealing with the city of Los Angeles, where people are unhappy because that city may be required to sponsor the Olympic Games. As the Minister recently undertook an extensive overseas study on this matter and other matters involved in his portfolio, while in Munich and other recent Olympic host cities was he able to obtain information about the tremendous cost to a host city of staging the games? From the information the Minister obtained in Los Angeles, can he comment upon the difficulty involved in staging the Olympic Games in that city?

The Hon. T. M. CASEY: During the course of my visit to West Germany, I had a look at the Munich complex. It was pointed out to me that the expense involved in staging the Olympic Games is becoming larger every four years. About six weeks ago, in Western Europe, I learned that the people of Los Angeles were concerned about the high cost of staging the games. The experience of what happened at both Munich and Montreal showed that after the games the whole Olympic complex became more or less a white elephant.

Another interesting point made to me by members of the Olympic Federation in Europe was that they should be examining the feasibility of eliminating some of the sports now contested in the Olympic Games, such as sprint cycling, because the velodromes constructed at both Munich and Montreal were lying idle and represented a shocking waste. I am not surprised that the Mayor and councillors of Los Angeles are concerned about the high cost of staging the games, and of completing all the facilities necessary for staging the games.

I was also interested in the suggestion made some time ago to construct a complex at Athens or Olympia, where the original games were held, so that all countries could contribute to the cost of building a stadium to promote holding the games in Greece. Such a complex could be used every four years. Whether such a programme could be agreed upon by all nations, I do not know. Nevertheless, it is something that we ought to consider, as any country willing to take on the staging of the Olympic Games would have to spend \$200 000 000 or \$300 000 000.

LOCAL GOVERNMENT SALARIES

The Hon. N. K. FOSTER: I seek leave to make a brief statement before directing a question to the Minister of Lands, representing the Minister of Local Government, concerning the salaries of local government salaried officers.

Leave granted.

The Hon. N. K. FOSTER: My question involves people such as town clerks, assistant clerks (where they are employed), engineers, assistant engineers, town planners, library staff, etc. It involves the inside staff of local government organisations, as distinct from outside staff, those engaged in doing the real work on behalf of the ratepayers and the municipalities which employ them. Will the Minister ascertain from the Minister of Local Government whether any uniform procedure is adopted by local government organisations in South Australia in arriving at salaries to be paid in the areas to which I have referred? If so, is the basis an award of the Conciliation and Arbitration Commission? Are salaries arrived at by negotiation with an appropriate organisation covering staff members, namely, the Municipal Officers Association, or are they fixed in some other way? Do any councils or municipalities, city or country, fix a percentage of the rates paid as the determining factor for salaries paid to such staff? If such a system exists, is this an incentive for officers in such organisations, as they would appear to gain from ever-increasing annual rates in such council areas?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring back a reply.

MOTION FOR ADJOURNMENT: HOSPITAL ADMINISTRATION

The PRESIDENT: The Hon. Mr. Hill has informed me in writing that he wishes to discuss a matter of urgency, namely, that the Minister of Health should be censured for maladministration of the Hospitals Department. In accordance with Standing Order 116, it will be necessary for three members to rise in their places as proof of the urgency of the matter.

Honourable members having risen:

The Hon. C. M. HILL: I move:

That the Council at its rising do adjourn until tomorrow at 1.30 p.m.

Mr. President, I have given you notice that the Minister of Health should be censured for maladministration of the Hospitals Department. I do not take this action lightly. I accept that it is a very serious matter when a Minister of the Crown is censured for maladministration. Indeed, in this Council it has been a long practice that honourable members on both sides of the Chamber go to considerable lengths to support Ministers of the Crown. However, there

are times when it is quite obvious that maladministration has occurred, and is occurring, and this is one of those occasions. There is ample evidence, I believe, to support that statement. We are part of the Westminster system, in which Ministers are responsible for the actions of their departments. They must report to Parliament the actions of those departments, and advise Parliament—

The Hon. N. K. Foster: What authority would you quote to support that?

The Hon. C. M. Hill: You want to ask your Premier about the Salisbury matter if you want to—

The PRESIDENT: Order! I ask the Hon. Mr. Hill to resume his seat. Before this debate proceeds too far, I suggest that members on their feet address the Chair. I will then attempt to see that they are heard with decorum.

The Hon. C. M. Hill: I was making the point that Ministers must answer on the floor of this Chamber for their administrations and, if they have an explanation of what action has been taken in a Ministerial capacity, I am sure this Council would accept such an explanation. In the case of the Minister of Health, for years and years there has been evidence that all is not well in the Hospitals Department, yet we do not hear from the Minister of any action that he has taken. We heard only this week, when I asked for further information about what is now commonly called the computer scandal, that the Government had fobbed off that matter on to a committee before this Council met for the session. Now, we must sit idly by waiting for the result of a committee's investigation, when the Minister is in a position to give much information to the Council. Of course, he refuses to do that with the excuse that it has all been put in the hands of a certain inquiry, not one initiated by him as Minister, but one commenced by the Premier. This is, I submit, evidence that the matter is so serious that it has been taken out of the Minister's administration. It has been taken out of his hands and is being dealt with by the Premier himself.

I will illustrate my point, that for years and years there has been disquiet regarding the Minister's administration, by referring to the Auditor-General's Reports. I refer to the report covering the first full year in office of the present Government in 1971, when queries were raised.

The Hon. N. K. Foster: On a point of order, the first year of office of the present Government was much earlier than 1971.

The PRESIDENT: There is no point of order.

The Hon. C. M. Hill: I am referring to the first full year on which the Auditor-General reported, which was the year ended 30 June 1971. Under the "Hospitals Department" heading, the Auditor-General, when dealing with departmental accounting, said in his report:

During 1970-71, the department's attention was again drawn to certain unsatisfactory procedures relating to the payment of wages. Some corrective action was taken but was not wholly effective. For a number of years, I have referred to the need for the department to review procedures relating to inventories, but as yet little has been done. Some hospitals still have no adequate inventories of equipment.

Then, in the 1972 report, the Auditor-General referred to the matter again and dealt with matters that were still not satisfactorily resolved (they were his own words). He also said that little progress had been made.

A year later, in the 1973 report, the Auditor-General again dealt with departmental accounting and said that some procedures had not yet been satisfactorily completed. Twelve months later, there were again some criticisms of budgeting procedures. In the 1975 report, the Auditor-General dealt with salaries and wages, saying:

A review of procedures covering salaries and wages carried out during the year showed that there were weaknesses in

internal control and checking in the preparation of the payroll, lack of review of charges, and no effective control of overtime.

Later in the same report, he dealt critically with the whole subject of budgetary control, and emphasised the matter of internal audit and control. In the 1976 report (I am taking the reports year by year), the Auditor-General again dealt with the Hospitals Department. Touching on the question of food costs, he said:

An investigation was made into the procedures and controls over foodstuffs, with particular reference to the Northfield Wards. The examination disclosed that internal control was weak or non-existent, budgeting poor, reporting ineffective, and the records inadequate. A reply has not been received to the report.

So, the matter of controls over foodstuffs was raised back as far as 30 June 1976. Again in the same report, there is some criticism of drug costs, telephone costs, canteens, budgetary control, and internal audit.

In the last Auditor-General's Report that has been made available, namely, that for the year ended 30 June 1977, the Auditor-General again criticised the Minister and his department, saying:

In previous reports, I have commented on deficiencies in the financial management of the department. Some progress was made towards overcoming the problems encountered, but further corrective measures are essential.

Again, there is criticism of a whole host of items in the last Auditor-General's Report that has been made available. Under the heading "Financial management", there are paragraphs dealing with budgetary control, staff establishments, telephone costs, drug costs, and food costs, and all those paragraphs include criticism. For example, referring to "Food costs" the Auditor-General said:

I reported last year that an investigation was made into the procedures and controls over foodstuffs, with particular reference to the Northfield Wards of the Royal Adelaide Hospital. The examination disclosed that internal control was weak or non-existent, budgeting poor, reporting ineffective, and records inadequate. An examination of the matter of food costs in the Hospitals Department was commenced by the Public Accounts Committee on 2 December 1976.

The Auditor-General was still dissatisfied with the position. He went on to make further critical remarks under the headings of "Financial control of community health and domiciliary care centres", "Canteens", and "Internal audit".

That is a damning record for a Minister to have. The Minister has not ensured that his department has corrected the errors that the Auditor-General has brought to his and the public's attention every year since this Government first came to office. In this Council, some reference has been made to this matter. About two years ago, I asked the Minister a question about it, when I referred him to the Auditor-General's Report. I asked the Minister what he was doing, how he was correcting the matter, and generally speaking whether he was satisfied. In reply, the Minister said (*Hansard* of 5 October 1976, page 1210):

It is significant that the Auditor-General did not mention that there were any deficiencies in any area. The remedy that he suggests is, of course, a matter involving added manpower to put the suggestions into operation. As honourable members know, we have the manpower growth down to a minimum. However, we have taken note of the Auditor-General's comment, and his suggestions will be put into effect when the department has the manpower to do so.

I do not accept a situation in which the Minister has had manpower trouble. Since 1970, the Public Service in this State has grown at a faster rate than has the Public Service in any other State in the Commonwealth. Yet the Minister

relies on one excuse only for not being able to correct his department's faults—manpower problems.

The second issue that is causing the public to claim that the Minister's department is not being administered correctly is the computer issue, to which I have just referred. I do not accept that, simply because an inquiry has been ordered, the matter should be hushed up until the finding is released. The *Advertiser* took a particular interest in this matter. I quote from its leader of 26 May, as follows:

It is not good enough for the Minister of Health, Mr. Banfield, to brush aside the serious allegations made about the suitability of a \$2 000 000 computer system installed at the Flinders Medical Centre. At a time when soaring health costs are of grave concern to the community the public is entitled to a full explanation of what has happened and why. I should like to hear from the Minister his explanation of what has happened and why. The leading article then deals with the possibility of up to \$1 000 000 being lost simply because the Flinders Medical Centre experts advised the Minister's department in 1974 not to proceed with the computer programme. It seems from this newspaper's information that either the Minister or his department (and the Minister must accept responsibility for this) took no notice of the experts at Flinders Medical Centre. Incidentally, I commend those experts for the way they brought the matter to the department's notice. However, the department took no notice at all of the experts at Flinders Medical Centre and went ahead. As a result, possibly up to \$1 000 000 of public money has been lost. The leading article continues:

Information in the possession of this paper indicates that to the end of the 1974 financial year only \$266 000 had been spent, mostly on labour. And it was in 1974 that medical experts at the Flinders Medical Centre apparently advised the Hospitals Department to suspend further development and expenditure until the prototype of the proposed system in St. Louis, Missouri, had been completed and fully tested. The department, for reasons as yet not revealed, rejected the advice.

Subsequently, the St. Louis system failed and the efforts of local technicians to develop the system at Flinders apparently proved unsuccessful. Had the advice given the department been heeded, it appears at least \$1 000 000 and possibly more might have been saved.

The following day the Minister replied to that and the newspaper quoted what the Minister said. It stated:

He said the picture presented by the press was "grossly distorted and gave a most unfair and unbalanced representation of the true situation".

The people want to know the true situation from the Minister's point of view, because we are dealing not with a small amount of money but with about \$1 000 000. On the issue of the computer, because the Minister has not given a satisfactory or real explanation, he deserves censure.

Yesterday the Minister tabled a report of a departmental inquiry concerning the fact that too much meat was being wasted in his hospitals. That report states:

The standard weight of meat per serve used in establishing the approved levels of meat usage were generally being exceeded in practice and need review.

The report also stated that pilfering and dishonest practices might have been taking place. The report mentions that a police investigation is under way concerning this general matter. I believe the Council should be told why someone approached the police and, indeed, who approached the police. The people should be informed by the Minister, through Parliament, of matters of that kind. Because the Minister has not told the public the true position from his point of view, grave doubts

understandably have arisen as to his ability to administer his department efficiently. The first two points in the report are:

The committee is of the opinion that purchases of meat are generally not based on quantities required for meals and would often be in excess of requirements. Pilfering of meat could occur at any of the institutions visited. Under present circumstances it would be difficult to evaluate whether pilfering is on a minor or major scale, but the committee considers that the main loss of meat and other foodstuffs is caused by waste.

I draw attention to the doubt in the committee's mind about whether the pilfering is on a minor or a major scale. In other words, we do not really know yet. At the State election last September the question of pilfering at Northfield and other Government institutions arose. The Government denied it, but a person was charged and admitted pilfering. The Government was successful in keeping the lid on that issue at that time, but the whole matter arises further and more often as time passes. That still causes disquiet.

In the press yesterday and this morning large headlines reflect on the Minister and his department. The Minister cannot continue in office and have the media base their front page news items upon the fact there must be maladministration, unless there is more to it than has been made public to date. For all those reasons, I think it fair and proper that this Council should censure the Minister for maladministration.

The Hon. M. B. CAMERON: Mr. President, there has never been a more vivid example of maladministration of a department by a Minister probably in the history of this Parliament. Yesterday, the Minister tabled a document which detailed an investigation by a number of officers of the Public Service. This was two years after a total investigation into the Northfield Hospital on similar matters. A report by the Auditor-General dated 6 April 1978 states:

Foodstuff requirements were not based on forecasted number of meals to be supplied, standard menus, or ration scales. Statistics were not kept of meals prepared and served to assist in forecasting.

Purchasing: The purchasing of foodstuffs was not adequately controlled or properly authorised. There was no check of quantities on hand before order quantities determined. Foodstuffs were ordered from and received directly by the kitchen. Purchasing was not based on forecasted needs.

Receiving: Perishable goods were received directly into the kitchen without being checked against source documents for quantity and quality.

Prices: Little or no consideration was given to varying the menu to benefit from low prices or avoid high out of season prices.

Security: There was failure to adopt a normal preventive security programme. Supervision of storage areas and custody of keys was poor.

Meal requisitioning: There was poor ward control over the requisitioning for meals. The number of meals requisitioned often exceeded the number of patients in the ward.

I have read through the Corbett report and almost all of those items from that report of two years ago are detailed again, based not on history but on what was found during the period of six weeks.

Members interjecting:

The Hon. M. B. CAMERON: I'll make you deaf before I finish.

The Hon. D. H. L. BANFIELD: Mr. President, has a member the right to threaten another member of this Council? That was a direct threat to make the honourable

member deaf. Surely an honourable member has no right to make threats against other members in this Council. I think that is a terrible thing to do.

The PRESIDENT: I will reply to the Minister's point of order, if it is a point of order. I thought the discussion across the Chamber was out of order in the first place, but I took no offence at the interjection or the reply.

The Hon. Anne Levy: I'll take action if he carries out the threat.

The Hon. M. B. CAMERON: It was on about the same level as my interjection yesterday when I said the Minister was hopeless and he said, "Yes, I know." I knew that the Minister did not mean that.

The committee in six weeks found exactly the same thing, based not on history, but on the present time. So, two years after this kind of matter was drawn to the Government's attention in connection with one institution, the report states that some other institutions show the same problem. This is detailed in a schedule of meal costs at various institutions. At that time, Northfield Hospital meal cost for each day was quoted at \$3.35, Royal Adelaide Hospital at \$2.77, Queen Elizabeth Hospital at \$3.05, and Modbury Hospital at \$3.65 (even higher than the figure for Northfield Hospital, where pilfering was taking place and 2½ tons of meat was disappearing each month).

The committee found that the costs in most country hospitals were lower than those in metropolitan hospitals. The Corbett Committee visited only minor institutions, by comparison with the larger hospitals. In six weeks it came up with evidence that the Government and the Minister obviously had not taken corrective action. The committee visited Port Pirie Hospital, Wallaroo Hospital, Port Lincoln Hospital, Port Lincoln Gaol, Port Augusta Hospital, Port Augusta Gaol, and Hillcrest Hospital. The point is that the Government and the Minister failed in their administration. Similar problems to those that occurred in 1976 are occurring now. In an article in the *Advertiser* of 6 September 1977 the Premier is reported as saying:

It was then taken up by the Parliamentary Public Accounts Committee which has discovered no impropriety.

The Premier was referring to Northfield Hospital, but the Minister said yesterday that the Public Accounts Committee had not reported. The Minister obviously has not kept in touch with the Premier, because the Premier obviously got some information from the committee. The Public Accounts Committee is still investigating, and the reason for setting up the other committee was to try to avoid the inevitable flood that will roll over the Government and the Minister when the report is issued. The Government and the Minister have tried to duck the issue but, unfortunately for the Minister, the carefully controlled leak to the press yesterday did not come off, because the press saw through the ploy: the press saw that the Government was trying to duck the issue and avoid justified criticism for maladministration, not over the last six weeks but over the last two years and even earlier. The report of the Auditor-General's Department was based on two years before that.

So, for four years at least and, as the Hon. Mr. Hill said, even earlier the Minister has failed in his administration of the department and has continued to do so. If ever there was an example of a Minister deserving censure, it is this Minister. The taxpayers of this State do not deserve to have their money wasted by maladministration. When a committee finds that pilfering and wastage are still taking place, the Minister should look to his laurels and perhaps consider resigning. I do not believe that any Government or any State can put up with the sort of situation that has

been occurring over the last four years. During the period that the Northfield question was being considered by the Public Accounts Committee, the Premier answered a question on 13 October 1977. Mr. Allison in the House of Assembly asked the Premier:

Can the Premier say whether the Government has extended investigations, similar to that conducted by Mr. Epps at Northfield, into the operations of other hospitals and institutions and, if it has, what have been the results and, if not, why not?

The Premier replied:

Following the events at Northfield, arrangements were made for committees to work between various institutions in the Hospitals Department and the Auditor-General's Department to ensure proper accounting procedures in the various institutions. There was only one institution in which that arrangement was held up, that being Northfield, for the reason given in the Auditor-General's Report that it was being investigated by the Public Accounts Committee.

As I understand that reply, on that day the Premier indicated that proper accounting procedures were being instituted in all institutions under the Minister's control, except one, yet now the Corbett committee has found that, after about another 12 months, these institutions are out of control. The following is the Corbett committee's summary of findings:

Our main findings are:

- too much meat is being wasted,
- the standard weight of meat per serve used in establishing the approved levels of meat usage were generally being exceeded in practice and need review.

There may be pilfering from time to time, or other dishonest practices, but nowhere near enough to explain the discrepancy between the amount of meat actually used and the amount allowed for in the prescribed standards approved by the Hospitals Department. On the other hand, the wasteful practices observed and reported on by this committee would be enough to account for that discrepancy.

Details of our findings are given in the following sections of this report. Highlights include instances of:

failure to weigh meat on delivery;

That is one of the express criticisms in the 1976 report. The summary of findings continues:

Cartnotes not kept;

Again, that is exactly the same criticism as was made in the 1976 report. The summary of findings continues:

Excess quantities cooked and then disposed of as garbage;

I do not quite know how the problem at Northfield can be accounted for if it occurred only as a result of wastage and not as a result of pilfering. The Corbett Report states that the committee liaised with the police but did not conduct investigations with police help. That is an amazing situation in view of the fact that it had been determined that pilfering was not on a large scale.

How public servants can come to such a conclusion, in six weeks and without police support, in connection with the number of institutions that the committee claims to have investigated is beyond me, particularly as the Public Accounts Committee has been investigating the matter for so long. The public has been made aware of the failure of the Minister, and I have no hesitation in supporting a censuring of the Minister for gross maladministration of his department over a long period.

The Hon. D. H. L. BANFIELD (Minister of Health): I want to take two points on the Opposition. The first is that the Opposition did not pay me the courtesy of advising me that such a motion would be moved this afternoon, yet the practice in the past always has been to tell the person concerned.

Members interjecting:

The Hon. D. H. L. BANFIELD: That has been normal practice in the past. The Opposition moved this motion today because it believed that I would not have the answers ready for it, yet I have most of the answers ready now. However, that is the sort of action we expect from the Opposition. Further, the Opposition was trying to talk this matter out without giving me the opportunity to reply. The Opposition members have spoken for nearly 30 minutes, and have left me with less than five minutes to reply to allegations that they have been so anxious to make.

Further, the Opposition took up part of Question Time so as to deny me further time to reply to the allegations. Government members did not continue with questions. Members opposite asked questions this afternoon, although they knew that the motion would be moved. They continually wasted time so that I would be allowed less than four minutes to reply to the allegations.

Regarding the Minister's responsibility for the running of the department, I accept full responsibility for that. Indeed, I have never run away from an issue, as all honourable members know. I am willing to accept such responsibility but, fortunately, the Opposition has brought forward nothing to prove or support the points it has made this afternoon.

The Opposition has claimed that nothing has been done but, since the time the Auditor-General made his first criticism, discussions have transpired between the Auditor-General and the department. At my behest, this liaison was established so that there could be continued discussions between the Auditor-General and the department and so that something could be done. In fact, the Auditor-General reported as far back as 1971 that corrective action had been undertaken, and that action was still being taken to correct some of the things he had found.

The Hon. M. B. Cameron: Come off it!

The Hon. D. H. L. BANFIELD: The Hon. Mr. Hill referred to that point, and I am quoting his words. The Hon. Mr. Hill stated that the Auditor-General in 1971 said that some corrective action had been undertaken. How have honourable members opposite been able to claim that I have taken no action? The honourable member belied himself when he referred to the Auditor-General's report. Now he and the Hon. Mr. Cameron say that the Minister has done nothing since the first report that something may be wrong. I will tell the honourable member what the Government has done. The honourable member referred to one case in which the police arrested a man and court action was taken. The police find out about that as a result of a request by the Government. The Hon. Mr. Hill says nothing has been done and later he says he knows of action taken against one man.

It was this Government that established the Public Accounts Committee, which previous Liberal Governments would not establish. We have nothing to hide. Indeed, we want to see that the public purse is properly accounted for. The establishment of such a committee was not even entertained by members opposite when they were in Government.

The Hon. M. B. Cameron: You don't like it now.

The Hon. D. H. L. BANFIELD: Of course we do. We enjoy it.

Members interjecting:

The PRESIDENT: Order!

The Hon. C. M. Hill: It was a Liberal member who initiated that committee.

The Hon. D. H. L. BANFIELD: True, but the proposal was accepted by this Government because he had not been

able to get it accepted by his own Government. I move:

That an extension of time be granted to allow me to finish my reply.

Motion carried.

The Hon. D. H. L. BANFIELD: The Public Accounts Committee investigated allegations concerning a shortage of foodstuffs, etc. However, at the time of the last election, the Hon. Mr. Cameron who thought he might score a few points at the election, ordered two members to resign from the committee. Those members had to resign because the Hon. Mr. Cameron knew that they were not coming up with the answer that he and the Liberal Party thought they would come up with.

The Hon. C. M. Hill: They're not coming up with anything now.

The Hon. D. H. L. BANFIELD: Of course they are not. The new Liberal Party members of the committee said they would not take any notice of what had been accomplished in the past by the former committee members. They wanted to investigate the matter again, because they were hoping it might take another three years and they could resign from the Public Accounts Committee, again under the instructions of the Hon. Mr. Cameron, whose job it is to obviously spread the dirt and muck. However, they are not being too successful in that regard.

The Hon. Mr. Hill also raised the point that no deficiencies had been reported by the Auditor-General. The honourable member knows that that is the case. The Auditor-General said that some tightening up processes should be carried out, but he could find no deficiencies, as he knows. The Public Accounts Committee, which has been investigating this matter for about three years, has not been able to report any deficiencies. Did the Government do nothing and wait for the Opposition to continue raising red herrings, because it was coming up with continual non-events by taking its members off the committee? The Government could not wait any longer for the committee to present its report.

As a result of the allegations made (unfounded, as it appears) by members of the Opposition, the Government asked the Police Force to investigate and see whether it could find any of the 30 tonnes of meat that members opposite claimed had been pilfered from various institutions. The police have not yet been able to say that they have found that this pilfering has been going on.

Not to be content with that investigation, the Government also asked the Public Service Board to inquire, but we were told merely that it was possible that pilfering could occur. I point out that pilfering could occur in this place or any other place, and there should be no misunderstanding about that. The Corbett Report does not claim that pilfering has gone on: it merely states that it could be going on. It could be going on in this place. Indeed, I have reason to believe that there has been pilfering in this place but I will tell members opposite about it. I do not want that matter made public, but I do indicate that I have taken certain steps.

The Hon. C. M. Hill: That's a—

The Hon. D. H. L. BANFIELD: When people walk around at night, pilfering can occur anywhere. The Hon. Mr. Hill claims that nothing was done about the computer scandal, as he called it. He claimed there was a double scandal. He now refers to the \$1 000 000 computer scandal at Flinders University. Earlier according to members opposite, it was a \$2 000 000 scandal.

The Hon. D. H. L. BANFIELD: The Hon. Mr. Hill claimed that I had not given any reply regarding that allegation, but on 26 May I rejected suggestions that \$2 000 000 had been wasted on computer installations at

Flinders Medical Centre. The picture presented by the press was grossly distorted. I have said that before in this Council in reply to Mr. Hill, and it is now apparently sinking in. Today he cut his allegation by half; tomorrow he might cut it back further. At least he has come back from \$2 000 000 to \$1 000 000. He is the one who has altered the figure, having started off with \$2 000 000, and today he brings it back to \$1 000 000.

The Hon. C. M. Hill: How much was it?

The Hon. D. H. L. BANFIELD: Just a moment; I did not rush you along. I let the honourable member present his case, because the further he went, the worse he was getting. He was unable to put forward one shred of evidence. I say to the Hon. Mr. Martin Cameron that on 26 May I said that in 1971 a committee of doctors and computer advisers had recommended the development of a total hospital computer system to be installed in the projected Flinders Medical Centre. Because no staff had yet been appointed to the centre, it was necessary to seek alternative advice, both here and overseas, as to the most desirable configuration.

After much research, the officers of the Hospitals Department chose the Control Data Corporation MEDICOM System, which was then a leader in this field in the United States. The department received firm assurances from the company that a prototype system was being implemented at St. Louis Hospital—

The Hon. R. C. DeGaris: A case of St. Louis blues!

The Hon. D. H. L. Banfield:—and that there would be ample time to observe the effectiveness of this system before decisions would be required on the expenditure of major sums within Australia.

The Hon. C. M. Hill: How much money is involved now?

The Hon. D. H. L. BANFIELD: Just a moment. It is nowhere near the figure that the Hon. Mr. Hill reported. Already he has cut his figure in half and I have already given him an answer in *Hansard*. On 13 July I gave him an answer in reply to his question. He is still asking me what the figure was.

In the light of major advances in the development of computer equipment in the past few years, it is now recognised that it would not be cost-effective to continue this research and development effort. In consequence, it has been decided to retain one system to service Modbury's needs but to dismantle and distribute to other users, wherever feasible, the remainder of the computer equipment.

We do not know what the final sum involved will be, but let me assure the honourable member that it will be much less than \$500 000, which is bad enough. However, in the light of what was available in 1971 when the committee first inquired into this matter, what was decided on was the best available. In 1971, perhaps the Hon. Mr. Hill was riding a pushbike. Today he is driving a big Dodge. If he had not bought anything in 1971 and waited until the Dodge was available, he would not have wasted his money on the pushbike. The honourable member is implying that we should wait until the ultimate comes up, until there is something that is absolutely perfect.

The Hon. C. M. Hill: I bought the Dodge in 1970.

The Hon. D. H. L. BANFIELD: The Hon. Murray Hill knows very well that changing techniques mean that naturally things improve as the years go by. If one wants a car in 1965, one does not wait until 1980 in case a better model comes up. One gets the best that is available at the time. This is what happened in 1971 when the committee made the recommendation to the Government, because that was the best available at the time and it was necessary to have it.

I will not pre-empt the committee inquiry, and say what it will bring down. However, in the light of the material that was available in 1971, I believe that the right decision was made. If we had known what would come forward in 1995, I say that the same decision would still have been made because we could not wait until 1995.

The Hon. J. C. Burdett: Did you have to have a computer in 1971?

The Hon. D. H. L. BANFIELD: You do not have to have a computer. Members opposite do not like progress at all. We can understand why the Hon. Mr. Burdett says, "Did you have to have a computer?" Of course you do not have to have a computer; you do not have to have a pen or a pencil; you do not have to have a telephone; you can walk around with messages. However, we want to be efficient, so we put these things in.

The Hon. Mr. Hill has said that we have done nothing about this matter. He knows very well that the Government has already studied the report of an independent inquiry, as this was stated on 28 June. Yet today the Hon. Murray Hill says that we have not done a thing. Where was he on 28 June—on the Gold Coast, or was he overseas? We do not know where he was, but he was not keeping up with his homework. Yet he comes in here and tries to tell this Chamber that nothing is being done. On 28 June the Premier announced that the committee would inquire into the acquisition of computer equipment and associated software for the Flinders Medical Centre. The committee will report to the Premier and it is the Government's intention to make the findings public. We have nothing to hide, as can be seen by our making the Corbett report public. We did not have to do that. If we had felt that we had to be frightened of public criticism, we would not have tabled this report, but we have tabled it. We have taken action; we intend to accept the recommendations of the Corbett report, and already we are moving in that direction. Had we waited for the Public Accounts Committee, we might have been waiting for another four or five years.

The Hon. M. B. Cameron: Are you going to hold it up that long?

The Hon. D. H. L. BANFIELD: The Hon. Martin Cameron says we should hold it up. He does not believe that the Government should take action in the meantime.

The Hon. M. B. Cameron: Yes, I do.

The Hon. D. H. L. BANFIELD: Now he says that he does. The Hon. Martin Cameron does not like it. He did not take a trick this afternoon. He missed out all along the line, just as he missed out before the election when he tried to bring the scandal forward then, forcing Nankivell and Chapman off the committee. He said, "Throw some mud instead," but the Government was returned. The Hon. Martin Cameron, and the Leader of the Opposition in another place are still trying to stir. We have had three inquiries, yet not one has reported on that alleged 30 tonnes of meat which the Opposition members say is going off all the time.

The Hon. J. C. Burdett: Have you seen the cartoon in the *News*?

The Hon. D. H. L. BANFIELD: Of course I have seen the cartoon. We all know that the *News* and the *Advertiser* support the Liberal Party. If Opposition members can do anything to stir the pot, of course we will see these sorts of cartoon, and we will see these kinds of headline. Mr. Tonkin and the Hon. Martin Cameron have been stirring the muck and the public has been standing by. What is the next point? They will be in that much muck that they will not be able to get their heads above it. However, the public is not accepting this, and honourable members are not making too much progress in that area.

The Hon. M. B. Dawkins: You aren't making progress!

The Hon. D. H. L. BANFIELD: The Hon. Mr. Dawkins tried to ensure that I would be unable to make any progress this afternoon. If he had an ounce of courtesy in him, the honourable member would have told me what was happening. He would also have told his colleagues not to take up Question Time.

The Hon. M. B. Dawkins: What about your blokes?

The Hon. D. H. L. BANFIELD: Never mind about them. Government members were not aware that this motion was going to be moved this afternoon. Had we known, there would not have been—

The Hon. M. B. Cameron: What's the matter? You haven't been stopped.

The Hon. D. H. L. BANFIELD: That is so, but, because of the discourtesy of members opposite, who took up Question Time, other Government members have been stopped.

The Hon. C. M. Hill: You did the dirty on us before. You know that you're at fault.

The Hon. D. H. L. BANFIELD: This matter was taken up with the former President. It was well understood that an honourable member would give one hour's notice of his intention to move such a motion. However, members opposite have ignored that gentleman's agreement. They did not want to honour it, because they were afraid that the Government could answer their criticisms.

The Hon. Mr. Cameron said that it was two years since we first heard about the Northfield affair. However, yesterday I drew his attention to what happened two years ago. Obviously, the honourable member was either trying to stir up muck outside or he did not listen to the Ministerial statement. Despite all this, the Hon. Mr. Cameron says that it is two years since the Northfield affair began and that nothing has been done about it. Had the honourable member read the *Hansard* report of yesterday's debate, he would have seen that I said:

In 1976, following information provided to the Premier, the Government requested an Auditor-General's investigation of food use at Northfield Hospital. It was apparent from the Auditor-General's investigation that the accounting systems of that institution were not satisfactory for the proper control of food, and the Auditor-General subsequently reported that the accounting system should be tightened in all Government hospital institutions. The Director-General of Hospitals and Medical Services subsequently informed the Government that a series of joint operations had been set up to improve the accounting systems and make for tighter control of food.

So, again, the lie can be nailed to the Hon. Mr. Cameron, who said that nothing had been done for two years. I know why the Hon. Mr. Hill took up this matter: Mr. Dean Brown, a member of another place, has been trying to usurp the shadow Minister's job by asking questions on health matters. Mr. Brown has been doing the same thing to his Leader in another place, and this certainly stirred the Hon. Mr. Hill into action this afternoon. The best he could do was to say that the Government had not been moving in this area. However, he could not furnish the Council with a shred of evidence of this.

The Hon. N. K. Foster: He'll become a vegetarian after this.

The Hon. D. H. L. BANFIELD: Of course he will. I remind honourable members opposite that the Government continued with the accounting system that had been instituted in the department under a Liberal Government. When inquiries were made, it came to light that the system was perhaps not the best. However, the Hon. Mr. Hill tries to blame me as Minister. I am willing to accept my responsibilities: I admit that I should have known better

than to follow any system that was instituted by a Liberal Government. I now realise that I made an error in that respect. Never again will I trust anything that was implemented by a Liberal Government, any more than I will trust a gentleman's agreement in relation to giving notice of motions of this type.

I refute completely what the Hon. Mr. Hill has said regarding this motion. I have told the Council what action the Government has taken. I have said that the Auditor-General reported that corrective action had been taken, and that this had been happening since 1971. I also said that the Government had asked the police to make inquiries, and that the Government instigated an inquiry into consumables at hospitals. Also, I said that the Government hoped that the Public Accounts Committee would have finalised its report. However, I can now see the futility of that hope. We cannot wait for the committee's report. Members opposite believe that it will come down with—

The Hon. M. B. Cameron: You had better get on to Charlie.

The Hon. D. H. L. BANFIELD: Never mind about that. It was the Liberal members who got off the committee when its report, vindicating the Government's action, was about to come down. At the Hon. Mr. Cameron's behest, those members got off the committee. Indeed, they asked the Chairman to start the inquiry all over again because they did not want to know what had happened previously.

The Hon. M. B. Cameron: How do you know that?

The Hon. D. H. L. BANFIELD: Because Liberal members reported to one of their Party meetings, and there was a leak. That is how I know. This is contrary to what happens with the Labor Party: there is no discussion in the Labor Party Caucus regarding what has happened before the Public Accounts Committee. This is quite different from the situation that obtains with the Liberal Party every Wednesday morning, when Liberal members ask, "What is happening in the Public Accounts Committee? Is there something on which we can stir?" They even have Mr. Story working for them. Liberal members merely want to get some political mileage out of this matter until the report is released.

I thank the Hon. Mr. Hill for giving me the opportunity to put him straight regarding this matter. He will now realise that I am a responsible Minister and that this responsible Government of which I am a member has taken action on this matter. It has tabled reports as they have become available, and it can hold its head high, which is more than members opposite can do.

The PRESIDENT: Call on the business of the day.

BUSINESS FRANCHISE (TOBACCO) ACT AMENDMENT BILL

The House of Assembly intimated that it had disagreed to the Legislative Council's amendment.

Consideration in Committee.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That the Legislative Council do not insist on its amendment.

The effect of the amendment, which was moved in this Chamber yesterday, was to reduce the period allowed for prosecution from two years to 12 months. In reply, I indicated that officers of the department believed that 12 months was not long enough. I pointed out that we had no complaints concerning the wholesalers, and we believe that 12 months is sufficient in that case. However, some retailers are buying supplies interstate and disposing of

them here. I pointed out that an offence can occur some months before the department has any suspicion. If an offence is suspected, an investigation then has to take place. If we limit the period to 12 months, that will be insufficient time.

I do not think that any member in this Chamber would want anyone to avoid their responsibilities. Indeed, it would not be fair to the genuine retailers for someone to be able to get off simply because the time ran out. The average retailer is an honest person, but there are some who want to beat the system. Offences may not be detected until some months after they have occurred, and an investigation must proceed before there can be sufficient evidence to prosecute. An offender who is deliberately trying to beat the system will delay the investigation as long as possible. He will know the legal position, and his responsibilities under the Act.

At first, he may get away with it and an officer may not catch up with him until eight or nine months after the offence has occurred. The smart cookie could thus hold up the investigation and, on a technicality, be able to evade his responsibility. We have discussed the matter again with the Commissioner and he believes that there is no problem as far as wholesalers are concerned. However, some retailers who purchase their wares from interstate get up to all sorts of shenanigans to avoid their responsibility.

The Hon. K. T. GRIFFIN: In proposing the original amendment, we were not seeking to allow those who would otherwise have responsibility under the legislation to avoid that responsibility. We, too, want to ensure as much as possible that those who have an obligation under the legislation meet that responsibility, and, if there is any attempt to avoid the responsibility, they should be caught and brought to account.

Under the legislation, much wider powers are available to investigators. Whilst no doubt some will endeavour to avoid by reason of delay, their opportunity to do so is very much more restricted under the new legislation than under similar sorts of legislation. In seeking to move the amendment I was concerned to ensure that those who were under suspicion of having committed offences should not be under the threat of prosecution for longer than is reasonable in the circumstances. They should not have it hanging over their heads for longer than is necessary. It is understandable that in complicated questions of revenue a number of investigations will have to be undertaken, those investigations being of a complex nature.

I thank the Minister for his explanation. He has made out some substantial grounds for the period of two years, grounds of which we were previously unaware. If we had been aware of those grounds when the Bill was first before us, our view may well have been different, and the amendment may not have been proposed. In the circumstances, I can appreciate the grounds and will accept the explanation which the Minister has given, and therefore will support the motion he has moved.

Motion carried.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 19 July. Page 89.)

The Hon. J. C. BURDETT: I thank His Excellency for his speech and again take the opportunity of reaffirming my allegiance to Her Majesty.

Last week we witnessed the simple but dignified ceremony of the opening of this session of Parliament. It is perhaps appropriate to say just a little about the

formalities and ceremonies of the Parliament. These were criticised to some extent during the opening by the honourable Premier of the Presiding Officers and Clerks conference. The criticisms of so-called "ancient niceties" made by the Premier were taken up by the press. The principal criticism was on the basis that the forms and ceremonies of Parliament wasted time.

It is easy to say that, and it sounds persuasive, but if one stops to think about it one will find that in the course of a session very little time is taken up by formalities. The amount of time taken is almost infinitesimal. I could think of a lot of other time-wasting exercises in Parliament which the Premier could stop and thereby save much more time than by dispensing with what are, after all, very simple ceremonies and procedures of the Parliament. These procedures also have a significant symbolism, and symbolism is an important means of communication. In an age which suffers greatly from lack of, and breakdown in, communication, to destroy anything which assists to this end would be a retrograde step indeed.

The honourable Premier also wants to ensure that "useless persiflage" is kept to a minimum. This is, of course, quite a different matter, the dictionary definition of persiflage being "light banter". I would not like to see light banter abolished from Parliament. I would have said that that was one of the things which keeps politicians sane. It is ironic that in that very same speech the Premier himself indulged in persiflage. When he spoke of traditions being done away with, he pointed out that originally members of the House of Commons were unpaid but that it had not been very difficult to get rid of that tradition.

The next question to which I wish to refer is the report of the Commissioner for Consumer Affairs. At pages 19 and 20 of his report tabled on Thursday, the Commissioner for Consumer Affairs recited the number of requests for advice (1 331) on real estate matters. The report went on to build up a case that there was a need for the Consumer Affairs Branch to have the power to handle such inquiries. It recited the fact that in the Prices Act Amendment Bill, 1977, the Government sought to include purchasers of real estate in the definition of "consumer". On page 20, the Commissioner goes on to say:

Unfortunately for prospective home purchasers in South Australia, this amendment was rejected. An examination of *Hansard* dealing with this matter reveals that some members of the Opposition maintained that complaints may be lodged with the Land and Business Agents Board; that machinery exists for this procedure; that the Board has investigatory staff and that there is no need to duplicate this process.

This is a quite extraordinary statement for a number of reasons. First and foremost this is the first occasion that I can recall when a report from an administrative officer required to be tabled in Parliament by Statute has criticised the Parliament for its actions. I have often maintained, and will doubtless do so again, that one of our bastions of freedom is the separation of the three functions of Government—the Legislature, which makes the law; the Executive, which carries it out; and the Judiciary, which adjudicates according to law in individual matters between Crown and subject or between subject and subject which come before it. Yet here we have an administrative officer who seems not only to want to administer the law but to make it also and to criticise Parliament for not making the laws which he wants. And it is done in a report required by Statute to be tabled in Parliament.

It is worth noting that, if a member of this Council made an injurious reflection on the Parliament of this State in this way, he would be in breach of Standing Order No. 93

and there is a similar Standing Order in the House of Assembly. And yet the reflection can be made, and in this case certainly is made, on the Parliament by an officer of the Executive Government in a statutory report tabled in the Parliament. If you follow the implied invitation of the Commissioner and look at *Hansard* you will find that the only two Opposition members who spoke on the relevant amendment to the Bill were the Hon. Mr. Hill and myself and we will probably find that, in his next report, the Commissioner will actually name the naughty offending members who dared to speak against a measure which he had recommended. But, in any event, the criticism is entirely illfounded.

The inquiries listed concerned all sorts of things. When the amending Bill was being debated last year I was informed outside the House that many of these inquiries (not all complaints) related to stamp duty. These could surely be dealt with, without any amendment to the law by the Consumer Affairs Branch at the present time and by the Commissioner of Stamps. What I objected to, and I said this in debate (it is recorded on pages 1107 and 1109 of *Hansard*), was extending the wide investigatory powers invested in the Minister by the Act to real estate contracts.

The Prices Act, under which the Commissioner derives his power, is basically and fundamentally one relating to goods and services, not to real estate, although there have been some provisions relating to land prices. These latter provisions have, in general, not been administered by the Commissioner for Consumer Affairs, but by other Commissioners. I said in debate that many of the inquiries made to the Commissioner on real estate matters were inquiries as to stamp duty and the like, and it was not denied. I said that the Land and Business Agents Act provided a complete code in regard to real estate transactions, and this I adhere to. The Hon. Mr. Hill suggested that, if the investigatory powers and staff available to the land agents board were not sufficient, they could be made sufficient.

The report of the Commissioner indicates that the Land and Business Agents Board is concerned with criminal and quasi-criminal conduct of licensed persons, rather than advice and assistance to customers. Many land agents will be amazed to learn that the board's main concern is criminal and quasi-criminal conduct. The power of the board, of course, is that it is the disciplinary body and has the power to take disciplinary action and is heeded as such. It is true that it does not act in an advisory capacity, but it is not necessary to provide all the extensive investigatory procedures of the Prices Act to the Commissioner of Consumer Affairs in regard to real estate transactions.

I was, as I say, amazed at the attack, unfounded as it was, made on Parliament by the Commissioner. My amazement lessened on Tuesday when I read in the *News* of the Hon. Mr. Duncan's move to reintroduce the Bill. It is fairly obvious who motivated this part of the report, and that the report was part of a softening up process prior to the reintroduction of the Bill.

The Hon. C. J. Sumner: You are saying that the Attorney-General asked the Commissioner to write that in his report?

The Hon. J. C. BURDETT: I am saying what I said: it is fairly obvious who motivated this part of the report, and that the report was part of a softening up process prior to the reintroduction of the Bill. Reports should not be made for this purpose. If the investigatory powers of the Land and Business Agents Board are not considered wide enough, then strengthen them. I do not think any legislation is necessary to provide an advisory service.

The next subject I will deal with is pornography.

Pornography is defined in the Shorter Oxford Dictionary as "description of the life, manners, etc. of prostitutes and their patrons; hence the expression or suggestion of obscene or unchaste subjects in literature or art". It does not matter how you try to twist out of it, the term relates to indecent material. We have had in South Australia an enormous flood of hard-core pornography in recent years. As the Hon. Mr. DeGaris said, in no other State has the pornographer had such an easy run in exploiting the public. The Classification of Publications Act has been in practice, as I believe it was meant to be, a means of enabling hard core pornography to be peddled with impunity.

I remember some years ago predicting that it was only a matter of time before publications depicting bestiality would be fairly freely available. A publication which I have seen depicts a semi-naked girl lovingly placing the anus of a hen on a man's penis. This was classified. There has been a great deal of talk about the evils of censorship. We have censorship in South Australia. If you impose any kind of restriction on the availability of publications, that is censorship. We have some restrictions, however ineffectual. We have censorship. The question is merely where you draw the line.

With the flood of pornography to which South Australia has been subjected, I would not have much objection to publications which had some real artistic, academic or educational merit. I would not even object too strongly to publications which were funny. "Persiflage", as the Premier would say. But the great bulk of the pornographic literature which is being unleashed on South Australia is neither artistic, academic, educational or even funny.

The Hon. C. J. Sumner: What evidence have you got for that?

The Hon. J. C. BURDETT: I have seen a great deal of it.

The Hon. F. T. Blevins: Did it depress you?

The Hon. C. J. Sumner: Did you go to the shops to get it?

The Hon. J. C. BURDETT: No. It is not even persiflage. It is just plain unadulterated filth and I do have some objection to this. I was pleased to note in His Excellency's Speech that included in the legislative programme of the Government is legislation for consumer product safety. I am sure that the Government does not include pornography in its intent under this heading, but I would ask it to think of the concept of pornography as a commodity which is unsafe to consumers. There is a great deal of academic argument about the effects of pornography on its consumers. To say the least of it, it is by no means proven that hard-core pornography in large lumps—and that is what we have in South Australia—is a safe product to allow to be sold to the community. There is a great increase in reported rapes in South Australia, much greater than the national average, and this increase has roughly coincided with the flood of pornography.

The *post hoc ergo propter hoc* rule of logic may be a flimsy one, but it is very tempting to conclude that the flood of pornography is part of the cause of the increase in sexual crime. After all, much of the material that is being classified would appear to have no purpose other than to instruct in, and incite to, crimes of violence. Numerous publications are being classified, broadly called "bondage literature". These depict women bound, whipped and defiled in all sorts of filthy ways, including by introducing mice and other objects through a funnel inserted into the vagina. Surely people who purchase this literature are likely, at least in some instances, to accept the instruction given to them and want to do it themselves. Just why does this Government tolerate the sale of this kind of material? I would like to know.

As honourable members of this Council will know, I have three times introduced a private member's Bill to outlaw child pornography. On the two occasions when the Bill came to a vote in this Council it was passed, but it was eventually defeated in the House of Assembly by Government members. The fascinating thing is that the only real argument raised against the Bill was the claim that the Criminal Law Consolidation Act covered all cases of photographing children in pornographic situations. I maintained that this was not necessarily so. The Mitchell Committee report made in July last year, but not released until after my Bill had been defeated in the Assembly this year, stated that offences of photographing children in pornographic situations were probably covered by the existing criminal law but recommended that the matter be put beyond doubt by legislation. The Government now intends to do this, at last!

But I also said that there was merit in putting in one section a code relating to child pornography, and it is interesting to see that while my Bill was still before Parliament the Labor Government in Tasmania introduced an amendment to the Tasmanian Restricted Publications Act to do exactly what I had set out to do in my Bill. This is all the more interesting because the Tasmanian parent Act was based deliberately on the South Australian Act. The 1977 amendment to the Tasmanian Act is worth reading. Section 3 defines "child abuse publication" as follows:

- ... means a publication that contains a depiction of—
- (a) a child who is engaged in an activity or pose of a sexual nature or who is in the presence of another person who is so engaged; or
 - (b) cruelty, violence, or revolting or abhorrent phenomena involving a child, whether or not the child's involvement therein is active or passive;

The new section 13b, which is created, provides:

No person—

- (a) shall print, photograph, record, or make a child abuse publication, cause or permit such a publication to be printed, photographed, recorded, or made, or be in any way otherwise concerned in the printing, photographing, recording, or making of such a publication; or
- (b) shall reproduce a child abuse publication, cause or permit such a publication to be reproduced, or be in any way otherwise concerned in the reproducing of such a publication.

Further parts of that section provide:

13c A person who invites or procures or attempts to procure a child to be in any way concerned in the making of a child abuse publication is guilty of an offence.

13d A person who is guilty of an offence under this Part is liable to a penalty of \$5 000 or to imprisonment for two years or both.

13e No prosecution shall be brought under this Part in respect of a child abuse publication that the board has determined—

- (a) should not be classified as a restricted publication; or
- (b) should be so classified and in respect of which conditions have been imposed under paragraphs (b), (c), (d), and (e) of section 8 or under any of those paragraphs.

I point out that the penalties there are more severe than those in my Bill and I note, more importantly, that the Tasmanian Government was not dissuaded from its purpose by the fact that the offence of photographing children might already be covered by the criminal law. The criminal law in Tasmania is substantially similar to our own.

The Hon. R. C. DeGaris: You do not claim that it is fully covered?

The Hon. J. C. BURDETT: It cannot be claimed to be fully covered. It should be made clear and all offences relating to child pornography should be set out in one place.

The matter is not necessarily one of a difference between Liberal and Labor. It is a difference between those who have the interest of protecting the community from the effects of virtually uninhibited sales of pornography and those who have not.

The Hon. R. C. DeGaris: The Government's action has protected the exploiters.

The Hon. J. C. BURDETT: Yes. I have given notice of motion to seek leave to introduce a Bill for an Act to provide for the classification of publications and to repeal the present Act. I will move that motion in due course.

I should now like to refer to the Law Reform Commission. Some time ago I suggested publicly that South Australia should have a permanent Law Reform Commission. In these hectic days, with the complexities of modern life and business and the consequent complexity of legislation, members of Parliament are no longer able themselves in all cases to recognise areas where the law needs to be changed and, in particular, do not have the research facilities or personal expertise to examine the need for change or to formulate the changes. In the past, in a slower moving less complex society, the Government and private members of Parliament were in general able to cope with the necessary changes in the law. Those days have gone.

In 1968 a Liberal Government saw the need for an independent competent body to examine needs for reforming various areas of the law and making recommendations. Thus the South Australian Law Reform Committee was set up by an Order in Council. It does not have a legislative authority and has had little in the way of research and other staff. Having no statutory authority and status, and without a full complement of staff, it is limited not only in what it can do but it does not attract much in the way of help or assistance from the public.

It was what was needed at the time but, in the intervening 10 years, we have moved further in the direction of more legislation and legislation of more complexity. I must say that during the latter part of that 10 years we have been over-governed and over-legislated for. Nevertheless, there have been a growing number of areas which have needed attention from a permanent law reform commission with statutory authority. The Commonwealth and every State in Australia, except South Australia, has seen this need and set up such a commission. When I suggested a commission, the Attorney said that it was not necessary and that the committee functioned much more economically. I am certainly pleased to see the Government for once having regard to economy, but a job of this kind must be done adequately if it is to be done at all.

I certainly do not see the Law Reform Commission as in any way usurping or taking over the functions of Parliament. On the contrary, in many areas, especially those pertaining to what is commonly referred to as lawyers' law, there is great advantage in the matter being thoroughly researched by a legally competent independent body before it comes to Parliament. I referred earlier to the Premier's remarks about wastage of time in Parliament through forms and ceremonies. Much more time is wasted through unresearched legislation being introduced to Parliament. I stress the value of an independent investigation. Research by Ministers' own officers

committed to Ministers' policies is not enough. We have been served in this Parliament by excellent Parliamentary Counsel, but it is not fair to expect them to carry out complete research on a subject. They have more than enough to do in their own field.

This Council has on many occasions had to act very largely as a law reform commission and research Bills and move amendments because they had not previously been adequately researched. This Council has done this with absolutely no research staff having been made available to it by the Government. The policy of the Government Party is to abolish the House of Review, and it will not appoint a permanent Law Reform Commission. Certainly, it wants no review of its activities. The five Bills relating to debt repayment and recovery, which came before Parliament in the past session, were an excellent example of a lack of research in some areas.

The Hon. F. T. Blevins: Let the Select Committee make the report before you start criticising.

The Hon. J. C. BURDETT: Statements were made in the Council, when the Bills were before it, that there were defects in them.

The Government has been making some moves in the right direction, including the appointment of a full-time research officer for the Law Reform Committee. I believe that there has also been greater encouragement for public access to the committee. However, it is time the Government appointed a permanent Law Reform Commission with statutory powers, adequate facilities and preferably a full-time commissioner as well as part-time commissioners. I recently spent some time examining the working of the Western Australian Law Reform Commission in Perth, and was satisfied that a commission of this kind would be of great assistance to the Parliament of this State.

The South Australian Law Reform Committee has done a wonderful job with inadequate time and facilities, but the time has come to see that our law reform body does have the necessary power, time and facilities. The Hon. Trevor Griffin was a member of the Law Reform Committee for some years and I shall listen to his Address in Reply speech with some eagerness to learn whether he has something to say on this subject.

The final subject on which I wish to comment is that of judicial appointments. I have previously commented that this Government had started to undermine the independence of the Public Service, particularly through making appointments to senior positions from outside the department, instead of by way of promotion. Since I made that speech there have been more instances of what I said. But the Government has now extended its questionable appointments into the field of judicial appointments. There was considerable criticism of the Government by the Law Society for making appointments to the bench not from the ranks of practising members of the profession. I am not saying that judicial appointments should never come from ranks of academic lawyers or other persons with legal qualifications on a lower scale in the judicial ladder, but I do say that it has long been accepted (and it is a sound principle) that, ordinarily, appointments to the bench should come from the ranks of practitioners practising before the bench. I support the motion.

The Hon. ANNE LEVY: I wish to discuss a few examples of how changes in the law do not always have the full effect intended by Parliament, or certainly not the effect intended by me when I voted for the measures concerned. This may, or course, be due to the particular wording of the law, but it can also be because attitudes in society have not yet caught up with the law.

There may indeed be some individuals who are opposed to the new law and who will do their best to see it does not work, and others who have not adjusted their social attitudes to those required to make the new law work. Perhaps in some cases we need further amendments to the law. The examples I should like to quote involve women, because these are specific cases which have come to my attention, though I am sure that other examples could be found involving men as well.

My first example concerns the rape laws. As all here know, the laws regarding rape were amended a couple of years ago, with the aim of reducing the trauma to the victim, through the procedures involved in the trial. The victim does not now have to appear at a preliminary hearing, and can submit her evidence there on affidavit. Her name is withheld from publication, and at the trial itself she cannot be cross-examined on her past sexual history without special leave being granted by the judge because he deems such questions relevant to the case. I am sure these changes in the law have resulted in a better deal for rape victims, but examination of particular cases suggests that further improvements are perhaps required.

I should like to refer to a case heard this year in the Supreme Court when a 15-year-old girl alleged she had been pack-raped by six young men. In the early stages of the trial, defence counsel requested leave of the judge to question the victim on her prior sexual history, alleging she was known to be promiscuous, and so would consent to intercourse with anyone. The judge refused leave, and I quote from the transcript of the trial as follows:

I don't agree with that argument. I think that argument is a continuation of the old argument that if a woman had sexual intercourse with A she'd possibly be willing to have sexual intercourse with B provided that both were outside of marriage. Now you're continuing that argument by saying that if she is promiscuous, therefore she consents in every circumstance. I think that is precisely what section 34 (1) was intended to cut out.

The arguments continued from defence counsel for 23 pages of the transcript, the six defence counsel trying to get leave to cross-examine on alleged incidents in the girl's prior sexual history, and on whether she was promiscuous or not, but the judge stood firm. I quote again from the transcript, as follows:

Counsel: It is the assessment of the circumstances. If she is prepared to have intercourse with people as she meets them, in my submission that supports what my client says happened on this occasion.

Judge: I don't think it does. I think that is an assumption. I think that is an assumption that a consent was with one set of people implies consent with another set of people. She might have liked the two young men and detested the other people. So far, I fully agree with the judge, and I must admit to annoyance and anger on reading those 23 pages at how defence counsel were trying to wriggle around the new law and get evidence of prior sexual history admitted. Yet later in the trial, a complete change takes place, and, as I read it, it quite took my breath away.

Evidence was brought out that, since the alleged rape had occurred, the girl had left home and was living in a flat with four other young people, male and female, aged from 15 to 26. It is quite clear that she had left home with her mother's consent, and that her mother knew where she was. It was also stated in court that the Community Welfare Department knew she had left home, and I have been told that Crisis Care Centre had agreed she should leave, as the situation and tension at home were becoming unbearable following the rape, and the traumas resulting from it. Yet we have the judge saying:

I'm beginning to feel really that I should allow much

further cross-examination of this young woman than I have said previously. Here is a ludicrous situation, a girl under the age of consent, living with no relative, living with two young men and two other young women.

I stress that this move from home occurred after the alleged rape, and on cross-examination the girl denied that any intercourse took place between any of the friends sharing the flat. Yet in subsequent pages of the transcript we can see that she was asked numerous questions about the sleeping arrangements in the flat, whether there was more than one lavatory, how many clothes cupboards there were, and whether alcohol was drunk there, to which she replied "No". She was also asked how old she was when she first had sexual relations, how many different men she had had intercourse with, how often with each person, whether she had ever had a gang bang, whether she had ever heard she was known as an "onion", and so on.

I admit I have no legal training, but I should have thought many of these questions were just the sort which our amendment to the Act was designed to prevent. I fail to see how leaving home after the alleged rape is relevant to whether rape occurred, nor can I understand how the fact that she had left home persuaded the judge to change the ruling on admitting evidence on prior sexual experience. The intent of defence counsel was obvious enough, in that they wished to discredit the girl as being promiscuous, and therefore likely to consent to intercourse. Yet, despite the earlier quotations I have read, the judge allowed all these questions, and the girl spent two-and-a-half days in the witness box, being subjected to an intensive grilling. Perhaps our law is not working as we intended, or certainly not as I expected it to be interpreted, and further amendments should be considered.

The Hon. R. A. Geddes: How did the case end?

The Hon. ANNE LEVY: I think that is irrelevant to the question of what occurred during the conduct of the trial. In this trial all six defendants gave unsworn statements from the dock, and very damaging statements from the point of view of the victim, yet, being unsworn, they could not be cross-examined on them, nor could their credibility be tested by the prosecution, whatever effect such statements may have had on the jury.

In this way, the defendants' own attitudes to sexuality or their own prior sexual history were never even mentioned, let alone portrayed as perverse or unusual. This is yet another case of the unsworn statement in rape cases being used to prevent the defendants' being submitted to even a fraction of the exposure to which the victim is subjected.

I know that the Mitchell Committee has recommended that the practice of giving unsworn statements from the dock on which cross-examination is not available should be abolished, not just for rape trials but for all trials. I hope that this recommendation can be implemented as soon as possible, particularly after reading the transcript of this trial. I wonder, too, whether consideration could be given to providing legal counsel for the victim of an alleged rape in order to protect her interests in court.

Although such a victim is a witness for the prosecution, the Crown prosecutor is there not to represent her interests but to prosecute the defendant and attempt to obtain a conviction. This suggestion would, doubtless, meet with endless objections from the legal profession. However, I consider that counsel who represent the interest of the victim could be of much help in assisting her to survive the trauma of court proceedings. In the same way that witnesses before a Royal Commission can be represented by counsel, so, too, counsel representing the victim in a rape trial would mean that there was someone

there for whom her interests and reputation were of prime concern, someone in whom she could have faith and someone to whom she could turn for support and advice. Hopefully, this could help to ensure that intimidation of the victim by the defence did not occur.

I understand that the Rape Crisis Centre is currently being contacted by about five women each week, some immediately following a rape and others to discuss a rape that occurred up to two years before. The mental anguish caused by a rape can persist for a long time, and the sympathetic counselling offered by places like the Rape Crisis Centre is obviously of much benefit to the victims in helping them to adjust psychologically to their experience. It is important to note that only about half of these rapes ever get reported to the police, because the other victims are too disturbed to face the police and court procedures at the time. Apparently, many women are so distressed by the experience of being raped that they wish to forget all about it, and only weeks or months later do they seek out a sympathetic ear to which they can recount the horror that persists with them.

Even at the risk of providing higher rape figures to alarm the public, I for one would certainly like all rapes to be reported to the police so that the rapists can be brought to court and dealt with by the law as they deserve. I am sure that no-one can like the idea of rapists getting away scot free because their victims are so scared of the processes of the law that they will not report their experiences. Perhaps with time and further changes in trial procedures more victims will come forward.

The changes in police procedures, with the introduction of the Rape Inquiry Unit, have certainly improved the situation of the victim immediately after a rape. I am told that all who have come into contact with the women police of the Rape Inquiry Unit have nothing but the highest praise for the way in which they give support and help to the victim when she so badly needs it. Perhaps if this appreciation was more generally known, rape victims would be more willing to report the offence to the police. Unfortunately, as yet the Rape Inquiry Unit does not operate on a 24-hour basis, and is therefore not always available for rape victims. However, the present Government's initiative in setting up this unit is certainly to be commended. I have been delighted to hear that it is achieving the aim of helping rape victims.

I need hardly remind honourable members that the Sexual Offences Clinic at the Queen Elizabeth Hospital is another Government initiative that is also proving invaluable to rape victims.

I should like to recount to the Council two recent and horrifying incidents of rape that have been passed on to me to illustrate the sorts of rape that are never reported to the police. The first concerns a woman who sought help from counsellors on the day after the *Sunday Mail* had published a most sensational and lurid article on rape. This woman said that she had been attacked in broad daylight by two men, one of whom had held her down while the other raped her. One had remarked to the other, "Don't mark her. Remember the article in today's paper." The woman concerned told the counsellors that she was far too distressed and ashamed to go the police and, as she had no bruises or cuts, she considered that she would not be believed, although she was a married woman in her forties. This report really makes me wonder about the responsibility of the press in writing such articles. When written in such a sensational and titillating manner, they can indeed serve as a series of helpful hints for rapists, and do far more harm than good.

The other case reported to me concerned a young girl who had been pack-raped by four young men. She had

been walking in a suburban street, again in broad daylight, when a car containing two young men drew up. They proceeded to hassle her, shouting insults and lewd suggestions. Although they persisted in their harassment, she ignored them completely. This is an experience which, I am sure, many women have had to suffer.

Then, another car containing two young men drew up, and one of them politely inquired whether she was being bothered by the other hooligans and whether they could help her to get away from them. She gratefully accepted their offer and got into the car with them, whereupon the two cars drove off rapidly into the Hills, and she was pack-raped by all four men. This girl, too, refused to go the police and report the rape. She said that she had obviously got into the second car quite willingly, and this would be twisted to imply that she accepted lifts from strangers and was therefore likely to consent to anything that occurred subsequently.

I mention this case as I consider that young women should be forewarned of the type of premeditated strategy that can be employed by a group of pack-rapists. I realise that such an account, if reported in the press, could also be categorised as putting ideas into some men's minds, but after careful consideration I decided that the warning to women of how some men are trying to dupe them is more important. Being forewarned is being forearmed, and I hope that responsible reporting of such incidents could encourage women to have a self-defence, as opposed to a fear, mentality regarding rape and so avoid such dreadful experiences.

I should like now to discuss a completely different topic, but still one that suggests that legislative changes do not always achieve their intended aim. Three years ago this Parliament passed the Sex Discrimination Act, which among other things prohibits discrimination on the grounds of sex or marital status in all areas of employment. Yet it is apparent that there is still much systemic or indirect discrimination that persists against women and, although it is hard to point to individual cases, an examination of statistical data reveals the persistence of such discrimination. As an example, I should like to refer to a report prepared recently in the Education Department on the position of women teachers in this State, a report that makes depressing reading indeed.

It is only 20 years since the barriers against women teachers began to be removed. Until 1958, no promotion was available for women teachers, married or single, beyond the level of special senior mistress in secondary schools, except for junior primary and girls' technical schools. Married women teachers were temporary teachers only, and were not eligible for any promotion. In 1965, only 13 years ago, married women teachers were able to hold permanent appointments and so be eligible for promotion, but only if they signed an undertaking to go anywhere in the State.

Unpaid accouchement leave was introduced for teachers in 1968, and equal pay implemented in 1970. Only in 1972 did release-time scholarships become equally available to all teachers, men and women, married and single, and all teachers become equally promotable. So it is only in the last six years that one can say that officially there has been no discrimination against women teachers. All but the youngest group of women teachers must have encountered barriers to promotion. The report I have referred to compares 1972 and 1977, to see what changes, if any, have occurred since sex discrimination was abolished in the Education Department. As I said before, the results are depressing. In 1972, women made up 59 per cent of all teachers employed by the State, and in 1977 they made up

58 per cent of the teaching force—virtually no change. In 1972, only 7 per cent of women teachers were in promotional positions, and by 1977 this had risen to only 8 per cent—hardly a significant increase.

The Hon. R. A. Geddes: I have heard it said that many women teachers may not desire promotion. This aspect, in itself, must be a problem for the department.

The Hon. ANNE LEVY: Many women teachers may not desire promotion because, under the old system, it was so hard for them to get promotion: so many barriers were put in their way. Some conditions for promotion are harder for women to fulfil than they are for men to fulfil. By contrast, 36 per cent of men teachers were in promotional positions in 1972, and this figure also had not changed by 1977. Although women make up 58 per cent of all teachers, they hold only 23 per cent of all promotional positions, and this proportion has not altered, despite an absolute increase in the number of teachers since 1972.

If we examine salaries received by teachers, the same picture emerges. Currently 62 per cent of men teachers earn less than \$15 000 a year, while 91 per cent of women teachers earn less than that sum. Putting it the other way round, only 9 per cent of women teachers but 38 per cent of men teachers are receiving more than \$15 000 a year. And the proportion of women teachers in the higher income brackets is not changing with time. The report states:

Formal barriers to promotion for women, and particularly married women, have been overcome only recently, but it is apparent that the legacy of discriminatory practices and attitudes is still present within the Education Department. When promotion lists are examined it is evident that women are under-represented in all promotion categories, especially within the categories of Principal, Deputy Principal, and Special Senior positions. The administrative structure within the Education Department displays under-representation also, for while women make up 58 per cent of all teaching positions within the Education Department women make up only 14 per cent of administrative staff, and the positions they occupy are often without direct power or responsibility.

In fact, as an appendix to the report shows, in the Education Department administration there are 163 men and 26 women throughout all directorates—a far cry from the 58 per cent proportion in the profession as a whole. If we examine the various boards and committees within the Education Department, the same dismal picture is repeated, and it must be remembered that membership of a committee is often important in contributing to the professional growth and advancement of an individual. Of five internal Education Department committees, among a total membership of 47 there are only two women. On three Ministerial committees, among 33 members, only six are women. The Teachers Registration Board has two women members out of 13 members, and the Teachers Classification Board is all male. The picture is familiar, I am sure, and it would certainly parallel the experience of all honourable members here in the various sections of the community in which they move.

One of the reasons for the low status of women in the Education Department is certainly the lower qualifications held by many women teachers. In 1968, 71 per cent of men teachers had acquired the base professional qualifications which made them eligible for promotion but only 24 per cent of women teachers had such qualifications. By 1977, 88 per cent of men teachers had acquired these base qualifications, whereas for women teachers the figure had risen to 64 per cent—a large improvement in the proportion certainly, but there is still a large gap between the sexes in this regard which needs to be made up if the status of women teachers is to be improved. In this respect

the report recommends that priority should be given to improving the qualifications of women teachers. It stresses that this is not a short-term problem, as 3 335 of these unqualified teachers are under 55 years of age.

Release-time scholarships are currently given by the Education Department for teachers to improve their qualifications, but at present the criteria are more the needs of the department than the needs of the individuals, and the number, of course, is limited. In recent years the proportion of release-time scholarships going to women has been roughly the same as their proportion in the service. So, obviously, no consideration has been given to the greater needs of the women in the profession to improve their qualifications. The report makes the positive recommendation that general release-time scholarships should be continued and awarded preferentially to women teachers, so that the imbalance in qualifications can be ultimately corrected. It also suggests that the current lower qualification of women teachers should be regarded as a special need in the criteria used for awarding these scholarships, as there is a danger that the all-male selection committee may not readily consider such factors.

In summary, the report makes many useful recommendations for remedying the status of women in the Education Department, and it will be interesting to see how many of these recommendations are adopted by the bureaucracy and put into practice. The thrust of the report is not only to document the lack of improvement since barriers to women were finally removed only six years ago but also to suggest areas where a little positive discrimination, as in training, can be applied as a remedy. It most certainly does not take the approach of blaming

women entirely for the lack of improvement in the last five years; the approach of blaming women in this way is a rather strange and negative attitude of "blaming the victim" which I have encountered elsewhere.

On the contrary, the report is recognising that removing legal barriers is not always sufficient to achieve the aim of equality, necessary though it may be as a first step. The remedy of positive discrimination in some areas, coupled with a greater sensitivity by those men in positions of responsibility and authority, needs to be applied if the problem is ever to be resolved. This idea of positive discrimination in some areas has been applied with considerable success in the United States, and not only in the teaching profession.

I feel strongly that greater thought should be given to its general application here in Australia, especially as in South Australia application can be made to the Sex Discrimination Board for exemption from the provisions of the Sex Discrimination Act for a limited time in order to provide positive discrimination for women during a catch-up period. I hope that many men in powerful positions in our society will take note of this suggestion and act accordingly. I support the motion.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

ADJOURNMENT

At 4.42 p.m. the Council adjourned until Tuesday 1 August at 2.15 p.m.