

LEGISLATIVE COUNCIL

Thursday 30 October 1980

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

QUESTIONS

SOUTHERN VALES WINERY

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before asking the Attorney-General, representing the Premier, a question about his Ministerial statement on Southern Vales Co-operative.

Leave granted.

The Hon. B. A. CHATTERTON: I think we all regret the fact that Southern Vales Co-operative will not be operating as a co-operative in the McLaren Vale area next vintage. What I think is particularly disturbing is the plight of growers in that region. On reading the Attorney-General's statement that was made in the Council yesterday, I am disturbed indeed that the Government does not seem to be very well aware of what the situation is in the industry or of the possible hardship that will be caused to growers in that region. In his statement yesterday, in reference to the position of growers in that area after the closure of the co-operative, the Attorney-General said:

Many growers, who produce grape varieties in demand will be able to sell their grapes to other wineries.

I point out that throughout the whole industry there is considerable difficulty for growers to sell their grapes to other wineries. We have seen the bankruptcy of the Angle Vale winery and the Vindana winery, which has put growers in those regions in great difficulty. They are trying to sell their grapes in very strong competition with the grapegrowers who would have supplied their grapes to the Southern Vales Co-operative. To make that statement shows a fairly superficial understanding of the position that the industry is in at present. The Attorney-General further stated:

However, in recent times the demand/supply imbalance in the grape industry has appreciably improved.

Last vintage we saw a record crop throughout Australia, in spite of the fact that many thousands of tonnes of grapes were lost in the Barossa and Angle Vale areas because of storms in November, and production exceeded sales. To make the statement that the demand/supply imbalance has appreciably improved shows a complete lack of understanding of the real situation in the industry. The Attorney-General's third solution to assist growers was—

by rural assistance funding administered by the Department of Agriculture, either in the long term through farm improvement loans to assist in vineyard redevelopment, or more immediately by wine grape carry-on loans, subject to meeting the normal criteria.

In fact, the Commonwealth has now reduced the amount of funds available under this programme for two years running, and this is biting quite deeply into the lending that is available through the department.

Riverland growers, in particular, have found that applications which normally would have been accepted cannot be approved any longer because of a shortage of funds. In view of this fairly superficial understanding of the plight of the growers, will the Attorney-General ask the Premier to draw up some plans for the 1981 vintage, as a matter of urgency, so that there is not complete marketing chaos for wine grapes next year?

The Hon. K. T. GRIFFIN: I do not agree that the Government's statement yesterday in respect of the wine industry was a superficial view of that industry. It endeavoured to put into perspective the difficulties of growers regarding the Southern Vales winery. Undoubtedly, as we recognise in the statement made yesterday, there will be hardship in the area, but one of the points I made in my statement was that, on the information we have, of the total production of growers in the Southern Vales area who supply the co-operative only one-half goes to the co-operative. Obviously, growers are finding alternative markets, perhaps for some of the varieties more in demand rather than supplying them to the co-operative. That has been one of the difficulties that the co-operative has had to face. My statement indicated that, undoubtedly, among the growers who supply one-half of the total crop to Southern Vales there will be some who will be able to dispose of those varieties in more demand, but there will be some hardship for other growers. There are no immediate plans by the Government for any scheme to deal with the 1981 vintage, but I will certainly refer the honourable member's comments to the Premier.

LEGAL PROFESSION

The Hon. C. J. SUMNER: I seek leave to make a brief explanation prior to asking the Attorney-General a question about the legal profession.

Leave granted.

The Hon. C. J. SUMNER: Members will understand that in some States and, indeed, in some other common law countries the legal profession is divided into barristers and solicitors, and it is only those persons enrolled as barristers who may appear in court. In South Australia there is, and always has been, a fused profession where once a person is admitted to the Bar he may practise as both a barrister and a solicitor. The present Legal Practitioners Act provides that the Supreme Court, if it considers it convenient, may separate legal practitioners into two classes: one, barristers and the other solicitors.

The Hon. R. C. DeGaris: I can think of some more classes.

The Hon. C. J. SUMNER: Yes, but do not upset the Attorney-General. In 1976 a new Legal Practitioners Bill was introduced into Parliament and debated in this Council. It was eventually not proceeded with because of opposition by the Liberal Party to some of the provisions.

The Hon. J. C. Burdett: It was not opposition; it was amendments.

The Hon. C. J. SUMNER: It was opposition to some of the provisions of the Bill. That Bill in 1976 removed the provision giving the Supreme Court the power to divide the profession. On that occasion, the Hon. Mr. Burdett moved an amendment which would have returned the power to the Supreme Court to divide the profession if there was an application for that from the Law Society.

In my view, whether the profession is to be divided is a matter of general public policy, and it ought not be left to the judges or the profession alone. There has been some criticism by the New South Wales Law Reform Commission and in the United Kingdom about a divided profession. To my mind, a divided profession would be a retrograde step and would substantially increase costs to the community.

The Hon. D. H. Laidlaw: Wouldn't you like to see the lawyers get a bit more?

The Hon. C. J. SUMNER: No. I understand from statements that the Attorney has made previously that a new Legal Practitioners Bill is under consideration. In

view of this, will the Attorney advise the Council, first, whether he supports a divided profession or the present system of a fused profession with a *de facto* division for those who wish it. Secondly, does he agree with the Hon. Mr. Burdett that it should be a matter solely for the judges and the legal profession? Thirdly, has the Attorney-General had any discussion with the Supreme Court judges on this topic? Fourthly, is he aware of any proposal from the Supreme Court or elsewhere to divide the legal profession?

The Hon. K. T. GRIFFIN: It is correct that there is under consideration at present a Bill for a new Legal Practitioners Act, and when the consultative process has been completed decisions will be taken by the Government as to the form in which the Bill for that Act will be introduced in Parliament. It is not correct to say that in 1976 a Bill for a Legal Practitioners Act was not proceeded with because of the Liberal Party's opposition. It was not proceeded with, I understand, because the then Attorney-General (Mr. Duncan) could not accept the widespread opposition, throughout the legal profession in particular, to several very difficult points and, because of that, in a fit of pique decided that the Bill should lapse and that the profession should be regulated by the very old Legal Practitioners Act, which even then was very much outdated and needed substantial revision.

I have not reached a final conclusion on who should have the power to decide whether or not the profession should be divided. Certainly, the matters to which the Leader of the Opposition has referred are matters that I at present have under consideration. I think it correct to say, though, that I and probably most if not all legal practitioners in South Australia prefer to have the present system of a fused profession, where there is an opportunity for each practitioner to determine whether he or she will practise both as barrister and solicitor or solely as one or the other.

There is a great deal of merit in any division in the profession occurring on a voluntary basis, not by compulsion imposed by either the Government or the judges of the Supreme Court. I think it has to be recognised that the judges of the Supreme Court have, under the present Legal Practitioners Act, very wide responsibility for the regulation of the profession of law and that they have administered the legal profession most wisely over very many years. Unless there were compelling reasons to suggest that judges of the Supreme Court should not any longer exercise that responsibility, I would not be inclined to make any changes to the principle that the Supreme Court is predominantly the body to be responsible for the regulation of the legal profession.

Of course, any such regulation must take place through consultation with the Attorney-General of the day and the legal profession, both barristers and solicitors. It has been my experience that there has been that sort of consultation for many years. I do not believe that any compulsion upon practitioners to elect whether or not they will practise as either barristers or solicitors is a good thing. I can assure the Council that that view will be very much in my mind when we finally decide the way in which the legal practitioners Bill ought to be submitted to Parliament. I am not prepared in this context to disclose whether or not I have had discussions with the judges, nor am I prepared to disclose, if I have had discussions, what the nature of those discussions may be.

The Hon. C. J. Sumner: Why not?

The Hon. K. T. GRIFFIN: It is a matter of confidentiality between the Attorney-General and the judges.

The Hon. C. J. Sumner: We don't get to know about it.

The Hon. K. T. GRIFFIN: You will get to know about the Government's decision when it introduces the Bill in Parliament. That is the proper course to follow.

Members interjecting:

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: In relation to the fourth question, I am not aware of any professional move to separate the profession by compulsion.

The Hon. C. J. SUMNER: By way of supplementary question, I point out that my fourth question asked whether the Attorney-General was aware of any proposals from the Supreme Court judges or any other quarter to divide the legal profession.

The Hon. K. T. Griffin: That was the third question.

The Hon. C. J. SUMNER: My third question was, "Has the Attorney-General had any discussions with the Supreme Court judges on this topic?" Does the Attorney-General intend to answer these questions, in particular, the question whether there is any proposal emanating from the Supreme Court to divide the legal profession?

The Hon. K. T. GRIFFIN: I am not prepared to indicate the nature of my discussions with the judges.

FIRE ALARM SYSTEM

The PRESIDENT: Yesterday, I was asked questions by both the Hon. Dr. Cornwall and the Hon. Mr. Foster, and I believe I can now answer both questions. Members are advised that the fire alarm system was activated yesterday afternoon as a result of a boiler malfunction in the plant room. The only other occasion when the fire alarm was activated in the plant room was when asbestos cladding cracked on the boiler and the resultant escaping heat activated the alarm. The Fire Brigade attended in response to the alarm, and no damage has been caused. The effectiveness of the heat detection system has been proven, and members can be assured that the measures taken to safeguard life and property are functioning extremely well. In response to our request that a fire drill be arranged, this matter is in the hands of the Joint House Committee and the Presiding Officers, and such action will be taken at a convenient time in the near future. Further, I have arranged for folders containing full instructions on fire alert procedure to be placed in all members' rooms which they are requested to study and keep in an easily accessible place at all times.

SWIMMING FACILITIES

The Hon. N. K. FOSTER: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Health—and to some extent the Attorney-General, representing the Minister of Recreation and Sport—a question about sport.

Leave granted.

The Hon. N. K. Foster: Some time ago, the member for Coles was reported in the press as stating that she would not continue with the complex at the Thorndon Park reservoir reserve area, about which a question was asked yesterday and a reply is awaited. The Minister made a number of statements condemning the former Government in relation to a plan to build a swimming complex and facility at Thorndon Park on the basis that there were nearby facilities for the swimming needs of the schools in that area. However, that is not so. The nearest swimming complex (if one can refer to it as such) is at Dernancourt. It is across the river, and access can be gained to it only by a limited ford approach, over the Lower North-East Road,

which means that one must take a considerable detour to get to this facility.

I understand that at one stage this area was privately owned, although I am not sure whether that is still the case. That may be one reason for the Minister's hang-up in not proceeding with the public amenity at Thorndon Park. Within a mile of this area are situated (and I will go through the list for the benefit of the yawning Minister) the Campbelltown High, Campbelltown Primary, Paradise Junior Primary, Paradise Primary, St. Ignatius Catholic, Thorndon Primary, and Thorndon High Schools, as well as the Church of Assisi; all are within a mile, at the most, of the proposed complex.

Other schools much nearer the abandoned facility than any other facility are Stradbroke Primary, Morialta High, St. Joseph's Catholic and North Street schools, and the new primary school. I am quite sure that, if I wanted to draw a two-kilometre radius around this area, I could add even more to the list.

First, will the Minister ascertain the number of students attending the aforementioned schools? Secondly, does the Minister consider that the nearest swimming facilities are both inadequate and incapable of meeting the requirements of all the aforementioned schools; and, thirdly, when can we expect the Minister to adopt a positive attitude towards the needs of these schools by including in that complex the swimming facilities that were originally planned by the Hon. J. D. Corcoran, when member for Coles and the former Minister in that portfolio area?

The Hon. J. C. BURDETT: I will refer the honourable member's questions to my colleague and ask her to consult with the Minister of Recreation and Sport so far as may be necessary, and I will bring back a reply.

P.E.T. BOTTLES

The Hon. J. R. CORNWALL: I seek leave to make a statement before asking the Minister of Community Welfare, representing the Minister of Environment, a question about P.E.T. bottles.

Leave granted.

The Hon. J. R. CORNWALL: Some months ago, the Government announced its intention to vary the regulations under the Beverage Container Act to allow the sale in South Australia of two-litre plastic P.E.T. bottles containing soft drink. At the time, I was trenchantly critical of the decision, and I must say that I still remain implacably opposed to it.

The reasons that I gave at the time for my violent opposition were, first, that the particular containers represented a misuse of scarce non-renewable resources and energy, and also (and just as significant) that they represented a major break in the traditional bottle return system which had operated in South Australia for more than 80 years. It was a significant and retrograde break with that tradition. The third thing which I did not canvass widely at the time but which was allegedly the selling point of the bottles was that they were supposed to burn cleanly.

As I do not and have not owned a backyard incinerator, I am proud to say, in the 10 years I have lived in Adelaide, I have not been able to check this out, but various people have made allegations to me that that burn may not be quite as clean as we were led to believe. I recently received a letter from a group of concerned residents in the western suburbs of Adelaide who state:

We have noted your opposition to the bottle and would be interested in meeting with you to discuss how we might best ensure that the P.E.T. bottle is banned from South Australia. In the meantime, despite letters by our members to Coke,

A.C.I. and Hoechst (who supply the raw material), the Minister for Environment and the Professor of Chemistry at Adelaide University, we are unable to ascertain the exact components of the substance P.E.T.

Therefore, I ask what is the composition of polyethylene teraphalate. What are the gases which are generated by burning it in temperatures ranging from a slow smouldering burn to a hot fast burn? Finally, what degree of flammability does the material possess?

The Hon. J. C. BURDETT: I will refer the question to my colleague and bring down a reply.

DISCOS

The Hon. C. W. CREEDON: I seek leave to make a brief statement before asking the Minister of Community Welfare a question about under-age drinking in discos.

Leave granted.

The Hon. C. W. CREEDON: It has recently come to my attention that the Government has established an interdepartmental working party to check on noise and community disturbance from licensed premises, that is, hotels, night clubs and discos. Noise is not the only worrying part of disco activity in the community. People who attend discos are often well under 18 and appear to have no trouble in purchasing alcoholic liquor. Recently I received a complaint concerning four young people who I was told were well under 18—16 years was the age given to me—who were involved in a motor vehicle accident on their way home from a disco and who had been drinking alcohol they had purchased while at the disco.

Another trick of some disco operators, so I am told, is to serve only half measures of spirits, charging patrons up to \$2 for a full measure. I can understand that many people find the noise from these places intolerable. Some people are upset about the wanton sales of alcoholic liquor to under-age persons and, equally, about people given under-measure and charged an excessive price, who are entitled to feel that they have been cheated. Will the Government extend its inquiry to cover the matters I have mentioned? If it will not, what action can it take to ensure that these operators obey the laws already in existence?

The Hon. J. C. BURDETT: The inquiry is wider than as to noise: it does apply to everything that the honourable member has mentioned apart from the overcharging, or selling only half measures of spirits and charging full price. Every other matter is covered by the inquiry and will be reported on by the working party to the Minister concerned. In regard to the allegation about the serving of only half measures and charging full price, that could be dealt with by the department at the present time, and I will report the matter to the Superintendent of Licensed Premises.

DISPOSABLE NAPPIES

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Environment, a question about disposable nappies.

Leave granted.

The Hon. ANNE LEVY: The use of disposable nappies is increasing, and sales of these items have been increasing rapidly in recent times. They are an extremely useful commodity, as I am sure all mothers will agree, particularly for use in special circumstances or when one is out with a young child. Some mothers use them all the time and thereby save much work, particularly as the more

modern disposable nappies do not cause the irritation to babies' bottoms that the old ones used to cause, as I recall at the time when I was very interested in the problems of the qualities of disposable nappies.

However, problems do arise in the disposal of these nappies once they are soiled. If parents put them in the garbage can, obviously health problems could arise from such a method of disposal and, when they reach the tip, the health problems can be increased and can contribute to air pollution problems if the nappies are burnt. If they are incinerated at home there are also problems involving air pollution, because the plastic components not only contain unpleasant chemicals which one does not want to have released in the air but have a most obnoxious smell. The other method of disposal is to put them into the sewerage system, and I understand that many parents use this method of disposal for soiled nappies, but this causes great problems for the Engineering and Water Supply Department. I understand that the primary filters used by the department get clogged up with disposable nappies and the department has to fish out vast numbers of them. I do not know how it disposes of them—

The Hon. R. J. Ritson: I don't know how they fish them out!

The Hon. ANNE LEVY: The department has to fish them out, because the filters are completely covered with them. Some of the disposable nappies would get through the filters and, as the plastic component of the disposable nappies is not biodegradable, they obviously cause great problems in the treatment works.

I suppose that my question is directed jointly to the Minister of Environment and the Minister concerned with the Engineering and Water Supply Department. Has the Minister of Environment given any consideration to this problem of the disposal of used disposable nappies, and what solution can he suggest that will be environmentally sound and not cause damage to the sewerage system? Is there any other method of disposal which will not in any way prevent their use, as they are an extremely valuable aid to parents? Has the Minister considered this problem and can he suggest any solution that the Government can bring to bear?

The Hon. J. C. BURDETT: I will ask my colleague the Minister of Environment to consult with the Minister of Water Resources if he considers that necessary (and perhaps he should also consult with the Minister of Industrial Affairs and the Leader of the Opposition in this Council).

ART AND CRAFT COURSE

The Hon. BARBARA WIESE: I seek leave to make a brief explanation prior to directing to the Minister of Community Welfare, representing the Minister of Education, a question about an art and craft course.

Leave granted.

The Hon. BARBARA WIESE: I have been approached recently by a group of students currently enrolled in the art and craft course at O'Halloran Hill College of Further Education. Those people have been told that their course is likely to be abolished next year and that some students will be transferred to the School of Art and Craft at North Adelaide. They are concerned about this proposed change as it will mean that many of their number will be unable to continue the course. Some students travel from as far away as Victor Harbor to participate, and the extra distance to be travelled to North Adelaide would be prohibitive for many of them.

I understand that approximately two-thirds of enrollees

in this course are women, including a large number of school-leavers. Although the course is not considered to be a vocationally oriented one, nevertheless, over 50 per cent of past graduates have taken up work in art and craft occupations and cottage industries. Can the Minister say whether it is true that this course will be discontinued at O'Halloran Hill College of Further Education next year? If so, why? And, finally, in view of the dissatisfaction expressed by the students in the course, and in view of the study and job opportunities which would be lost to people in the southern region by the closure of this course, will the Minister reconsider his decision?

The Hon. C. M. HILL: I will refer those questions to the Minister of Education and bring back a reply.

Dr. PETER ELLYARD

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare a reply to the question I asked on 28 October regarding Dr. Peter Ellyard?

The Hon. J. C. BURDETT: I am advised by my colleague the Minister of Environment that the reply is as follows:

1. While acknowledging the considerable talents of the Director-General, Department for the Environment, the new Director-General of the Department for the Environment and Planning was considered by the Government, and the Minister of Environment and Minister of Planning to be the most suitable applicant.
2. No.

I.M.V.S.

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare a reply to the question I asked on 23 October concerning the I.M.V.S.?

The Hon. J. C. BURDETT: I am advised by my colleague, the Minister of Health, that the reply is as follows: the Hon. J. R. Cornwall continued the campaign of baseless allegations against the Institute of Medical and Veterinary Science in his statement during Question Time on 23 October. He stated that a personal friend who works at Philips Industries had the unusual job of directing such things as electron microscopes. Dr. Cornwall alleged that this anonymous employee of Philips spoke to him some months ago and asked why Philips Industries, for example, in many instances was not allowed to tender. This allegation is couched in the most vague terms, but it is assumed that the employee referred to the purchase of electron microscopes by the I.M.V.S.

The I.M.V.S. has advised the Minister that it has in its records tenders from Philips Industries for the last three electron microscopes purchased by the institute and, although their records do not extend back to 1967, it is probable that Philips tendered for the only other microscope purchased in that year. Certainly, tenders were called in each instance. If the honourable member was referring to any other items of equipment he must give specific details and dates, as the Acting Director of the institute has informed me that all items of capital equipment go out to public tender, and the tender details are advertised.

To his certain knowledge, no organisation has been refused the right to submit tenders. To support these statements I have a letter of today's date from the State Representative from Philips Industries, which states:

Our company has never prevented to tender for I.M.V.S. requirements. In fact, tenders for electron microscopes were

lodged by Philips in June 1974, December 1977 and January 1980. No statement of this nature was made, to our knowledge, by anyone of our staff. We wish to confirm our good relationship with your institute over the years, and we would like to add that it is our company's policy to make an official approach, if necessary, through the normal channels.

Yours faithfully,
Tullio Carboncini

State Representative, S.A.

As to Dr. Cornwall's suggestion that senior staff have been subsidised to the point of compromise by private firms, I refer him to the details published in the *Advertiser* of Monday 27 October, in which the Chairman of the institute refutes these malicious instructions. In answer to the honourable member's question, I refer the honourable member to the *Advertiser* of 28 October in which the Minister announced a wide ranging inquiry into the I.M.V.S.

The Hon. J. R. CORNWALL: I wish to ask a supplementary question. In view of the fact that the Minister says that the allegations in that question were baseless, and they were wide-ranging allegations, why has the Minister seen fit to order a full inquiry into the affairs of the I.M.V.S.?

The Hon. J. C. BURDETT: I would have thought that that would have been for other reasons and because of other matters raised. I will refer the honourable member's question to my colleague and bring back a reply.

DR. PETER ELLYARD

The Hon. N. K. FOSTER: Has the Minister of Community Welfare a reply to the question I asked on 28 October about Dr. Peter Ellyard, that very competent person the Government has overlooked?

The Hon. J. C. BURDETT: I am advised by my colleague the Minister of Environment that the answer to the first part of the question is "Yes". In answer to the second part of the question, the appointment was made in accordance with the requirements of the position of Director-General, Department of Environment and Planning. This includes responsibility for implementing efficiently and effectively the Government's objectives, policies and programmes in the areas of conservation, pollution management and development management.

The Hon. N. K. FOSTER: I wish to ask a supplementary question. The question I asked was: what are the qualifications of the person given the job as against the qualifications of the person overlooked? Will the Minister of Community Welfare, representing the Minister of Health, ascertain what are the qualifications of the person so appointed to keep intact the Liberal Party's policies—

The PRESIDENT: Order!

The Hon. N. K. FOSTER: —rather than the qualifications—

The PRESIDENT: Order! The honourable member will resume his seat. It is not a supplementary question. If he wishes to ask a supplementary question, he should do so, but that was not a supplementary question: it was a different question altogether.

The Hon. N. K. FOSTER: I seek leave to make a statement before directing a question to the Minister representing the Minister of Environment.

Leave granted.

The Hon. N. K. FOSTER: It is on the same subject matter. I want to say, regarding the subject matter of the question I asked and have had a reply to, that I am at a loss to understand why this piece of paper was given to me on the same day as my colleague was given one in the same

area. I questioned the reason why the person appointed was so appointed and I am informed that the person was given the position because he was more likely to accept the whims and policies of the Government, the Liberal Party.

Is this, then, an assertion against the integrity of Dr. Peter Ellyard, who has the integrity of having been a Parliamentary Research Officer in previous Liberal Party Government research activities regarding the environment? He was in that capacity in Canberra for a number of years. He had posts at the United Nations and in the international area, and his qualifications are high indeed. I know you are getting edgy, Mr. President.

Members interjecting:

The PRESIDENT: I am a little lost. You started by asking about the appointee's qualifications, but now you are dealing with Dr. Ellyard.

The Hon. N. K. FOSTER: I am asking for a comparison. Perhaps you missed that because of the interjections by the Hon. Mr. Davis. I cannot be responsible for him. I am highlighting the qualifications and integrity of a person who was directly employed on library research in the specialised area of the environment and associated matters in the twenty-seventh Parliament of the Commonwealth. He sought posts in the international sphere, including the United Nations, and was successful in obtaining them. He was regarded as an authority in almost every aspect of conservation.

It was that area of qualifications, that area of responsibility, that has been accepted by Dr. Peter Ellyard and his not being tied to any political philosophies that force me to ask directly the following question. I repeat that there has been, by the answer given today in this Council, more than a suggestion that perhaps he was not to be trusted as far as his political philosophy is concerned.

The Hon. L. H. Davis: There is no suggestion of that.

The Hon. C. M. Hill: None whatsoever.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: The question is—

The PRESIDENT: Order! I do not believe that the member has any right to draw that inference from the answer given, and I now ask him to ask his question. He has repeated and repeated the various qualifications of one person. I think that is sufficient explanation of his question, and I would like him to ask it.

The Hon. N. K. FOSTER: I will ask the question and we can both look at *Hansard* tomorrow. What are the qualifications and the experience of Dr. Peter Ellyard as a research officer in that area of expertise for which he is well known? What international positions has he held in respect of his qualifications? What are the qualifications of the person who has been appointed? What is his experience in the area in which he is required to give expert advice? Will the Minister examine the answer to a previous question in this Council and remove or apologise for any implication he has made in his reply that reflects on Dr. Peter Ellyard?

The Hon. J. C. BURDETT: There is no suggestion of any such inference. If we look at *Hansard* of 28 October, we find that the first question asked by the Hon. Mr. Foster was:

Was the appointment made in accordance, first, with the qualifications of the person appointed in comparison with the qualifications of the person referred to in the question?

The answer was "Yes". The second question asked by the Hon. Mr. Foster was:

Was it made in accordance with the policies of the Government as it sees the need for conservation in this State? The answer was:

The appointment was made in accordance with the requirements of the position of Director-General, Depart-

ment of Environment and Planning. This includes responsibility for implementing efficiently and effectively the Government's objectives, policies and programmes in the areas of conservation, pollution management, and development management.

Regarding the other part of the honourable member's question, asking about the respective qualifications (and I take it he means academic qualifications and experience), I will refer that matter to my colleague and bring back a reply.

The Hon. N. K. FOSTER: I ask a supplementary question on that. Why did the Minister make a direct reference to the appointee as being capable of carrying out the policies of the Government, which is an implication that the other party may not have been?

The Hon. J. C. BURDETT: I do not propose to reply to that or to refer it.

AGRO-FORESTRY

The Hon. B. A. CHATTERTON: I seek leave to make an explanation before directing a question to the Minister of Community Welfare, representing the Minister of Forests, on agro-forestry.

Leave granted.

The Hon. B. A. CHATTERTON: I understand that the Woods and Forests Department is undertaking experiments in agro-forestry, which is a technique of forestry that tries to combine tree growing and certain types of agricultural production and livestock production. The department wishes to undertake these experiments in the Mount Gambier area but has not been given permission to do so by the Mount Gambier District Council. There were quite a number of press reports on this matter in the *Border Watch* newspaper and I understood that the position was that there was considerable hostility between the Mount Gambier District Council and the Woods and Forests Department.

It is reported in the newspaper that the Director of Woods and Forests had written to the council and accused it of having "tunnel" vision because it refused the department permission to carry out these experiments. The question I direct to the Minister is: has this conflict between the Woods and Forests Department and the Mount Gambier District Council been resolved, and does the department intend to continue with these agro-forestry experiments?

The Hon. J. C. BURDETT: I will refer the question to my colleague and bring back a reply.

PHOTO LICENCES

The Hon. ANNE LEVY: I seek leave to make a statement before directing a question to the Attorney-General, representing the Minister of Transport, on the subject of photo licences.

Leave granted.

The Hon. ANNE LEVY: Some time ago I received, as I am sure all other members did, a bulletin headed *Photo Licence Bulletin*, put out by Polaroid.

The PRESIDENT: The Hon. Mr. Dunford is making it extremely difficult to hear the question.

The Hon. J. E. Dunford: I am trying to help the Hon. Mr. Foster.

The Hon. ANNE LEVY: This bulletin is put out by Polaroid Australia, which is in the business of providing machines for taking photos for photo driving licences. There is an obvious motive in circulating such a bulletin,

and a sample has been added to the bulletin, I presume in an attempt to influence or attract members of Parliament to the idea of instituting photo licences.

The one thing that the bulletin says nothing about, of course, is what they would cost, either to the Government or to the drivers when they obtain them. To that extent, only half the story has been presented. Has the Minister, who I presume received a copy of the bulletin, considered the matter of photographs on driving licences and has he made any estimates of costs involved both to individuals and the Government? Has he made any decision with regard to the introduction of such photo-driver licences in South Australia?

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

COUNCIL RATES

The Hon. N. K. FOSTER: Will the Minister of Local Government state what increases in rates have been imposed on residential areas as compared with industrial and commercial properties in metropolitan council areas? Is the requirement to furnish personal details for rate payment referral the same for companies and corporations as that which applies to individual householders? Will the Minister ascertain how many and which councils impose differential rating?

The Hon. C. M. HILL: I will have a close look at those questions in *Hansard* tomorrow and ascertain the details that it is necessary for me to obtain from the department and local government generally.

VINDANA WINERY

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Agriculture, a question on Vindana Winery.

Leave granted.

The Hon. B. A. CHATTERTON: The Government, with the co-operation of the Commonwealth Government, has made carry-on loans available to grapegrowers who have not been able to sell their grapes over the last few years due to the surpluses in the wine industry. It has been reported to me that the growers in the Riverland, who supply grapes to Vindana Winery and are quit of their grapes but are unlikely to be paid for them, are eligible for assistance under the grapegrowers carry-on loans scheme.

If this is the situation, it certainly has not been widely publicised within the Riverland area. Will the Minister say whether it is in fact true that growers who have outstanding debts with Vindana Winery are eligible to apply to the Agriculture Department for carry-on loans assistance if they meet the other criteria?

The Hon. J. C. BURDETT: I will refer the honourable member's question to my colleague and bring back a reply.

REPLY TO QUESTION

The Hon. FRANK BLEVINS (on notice) asked the Attorney-General: When does the Government intend to answer the question on files (asked on 13 August 1980), namely:

1. Are files still held by the Special Branch of the South Australian Police Force on any member of Parliament?
2. If so, what is the total number of members of Parliament on file?

3. What is the Party affiliation of the members of Parliament on file?

4. Who has access to the files?

5. Will the Chief Secretary give instructions to the Police Commissioner that will permit members of Parliament who wish to examine their files to do so?

The Hon. K. T. GRIFFIN: I regret that I have not yet been provided with a reply. I ask the honourable member to put the question on notice for Wednesday next.

The Hon. Frank Blevins: It seems that the questions are far too difficult.

APPROPRIATION BILL (No. 2)

In Committee.

(Continued from 29 October. Page 1572.)

Remaining clauses (2 to 9) passed.
Schedule.

The Hon. C. J. SUMNER: I refer to the Electoral Districts Boundaries Commission fees. Last year the actual payment under that line was \$1 000. The amount proposed for 1980-81 is \$5 000. The Attorney-General has said in this Council on a number of occasions that it is not the intention of the Government to have a redistribution during the course of this Parliament by changing the number of members of the House of Assembly. However, the Premier in another place has been much more equivocal about whether there will be a redistribution. In view of the fact that only \$1 000 was spent last year, why is there now an allocation for \$5 000?

The Hon. K. T. GRIFFIN: The increase in funding to the Electoral Districts Boundaries Commission has no relevance to redistribution. The commission has some statutory functions which, between redistributions, are pursued at a low-key level. As one moves up to the time when a redistribution is envisaged (and that would be after the next election) the work of the Electoral Districts Boundaries Commission tends to accelerate. The provision of \$5 000 in that context is a provision against work that it might have to do leading up to that redistribution.

The Hon. C. J. SUMNER: I take it that there will be no redistribution in the course of this Parliament?

The Hon. K. T. GRIFFIN: There is no intention to have such a redistribution.

The Hon. M. B. Cameron: That is about the tenth time.

The Hon. C. J. SUMNER: The Premier insists on refusing to answer the question, so I should like to make sure. I assure the Hon. Mr. Cameron that the Opposition wants the Attorney-General and the Premier to be consistent in their approach.

The Hon. C. M. Hill: Would you like another seat in Tea Tree Gully?

The Hon. C. J. SUMNER: It depends to which side of the road one is referring. I understand that one side of the road voted very well, whereas on the other side the result was not quite so good. Of course, roads can always be shifted on electoral maps.

The Hon. Frank Blevins: That's Mr. DeGaris's complaint.

The CHAIRMAN: Order! I ask the Hon. Mr. Sumner to return to the schedule.

The Hon. C. J. SUMNER: I refer to the vote for the Treasury Department and particularly to the Treasurer. Honourable members will recall that on 11 June we had a debate on Appropriation Bill (No. 1) 1980, which dealt with the Supplementary Estimates for the past financial year. I then asked a series of four or five questions about

the second reading explanation that the Premier had given and about the accompanying papers. That was on 11 June, which is nearly five months ago, and to date no answers have been given. When will the Attorney-General prevail on the Treasurer to provide answers to perfectly legitimate questions that were asked in June?

The Hon. K. T. GRIFFIN: I will raise the matter again with my colleague.

The Hon. C. J. SUMNER: It is a scandal that the Treasurer has failed to make any attempt in nearly five months to answer legitimate questions that arose during the debate on the Appropriation Bill that was before this Council in June. I realise that Ministers are busy, and I am sure that the Premier and his officers are very busy. However, it is completely unacceptable for there to be delays of five months in answering those sorts of questions.

Having raised the matter previously in the Council, I have received the same reply from the Attorney-General. It is all very well for the Attorney to smile, but, if he thinks that the Parliamentary process can work in this way, he is being quite silly. Obviously, these legitimate questions need answers, but it seems as though they have been put in the too-hard basket, as the Hon. Mr. Blevins' questions have. If this has not happened, the Government is plainly being negligent and clearly disregarding the wishes of Parliament. I find the Attorney-General's reply to this question completely reprehensible, and it ought to be unacceptable to all members.

I now refer to the vote for the Attorney-General's Department. On page 32 of the Estimates of Expenditure, there is a reference to boards and committees. Will the Attorney-General provide the Committee with details of the future of two committees that were in existence during the term of office of the former Labor Government? I refer to the Freedom of Information Working Party and the Privacy Working Party. Will the Attorney say whether any funds have been allocated for the continuation of those committees and, if either of those committees has been revived, will the Attorney-General give details of its membership?

The Hon. K. T. GRIFFIN: Questions similar to this were asked in the Budget Estimates Committees, and I did obtain for those Committees details of the membership of various committees. However, I will try to obtain that information again and make it available to the honourable member.

The Hon. C. J. Sumner: I do not think that they are in *Hansard*.

The Hon. K. T. GRIFFIN: They probably are not in *Hansard*, although they were made available to the Chairman of Estimates Committee A. I will obtain that information and make it available again. I recollect that the Leader asked a question a month or two ago about the Freedom of Information Committee, and I said at the time that we were reconstituting that committee and would be reviewing the discussion paper that had been prepared by the former Government's working party and the submission that had been received from it; when the reconstituted committee had completed that work, the Government would take some decisions on its recommendations.

Regarding the Privacy Working Party, no decision has been made on its future. Honourable members will know that the Australian Law Reform Commission has published a paper on privacy and is doing extensive work in this area. In fact, even in this State in the early 1970's a report was made by the South Australian Law Reform Committee and, from memory, a Bill was introduced in another place by the then Attorney-General (Hon. L. J.

King). However, that was not proceeded with. At this stage, the priority in those two committees is on the Freedom of Information Committee.

The Hon. C. J. SUMNER: I appreciate that the Attorney-General will provide the Committee with details of the membership of those two committees. I now refer to the Aboriginal Customary Law Committee, which was established by the former Labor Government to investigate Aboriginal customary law and what role it should play in the conventional legal system. Before last year's election, I received from that committee a report which made certain interim recommendations. Since then, however, I have not heard of anything that this Government has done either to activate this committee or to consider the report that it received. Accordingly, I ask whether the Government intends to proceed with this committee and, if it does, whether its membership will remain the same. If the Government does not intend to proceed with the committee, why not?

The Hon. K. T. GRIFFIN: Upon becoming Attorney-General, I decided that the Government's priority in relation to Aboriginal matters ought to be on achieving an agreement with the Pitjantjatjara in relation to land rights. For that reason, the Aboriginal Customary Law Committee was not given a high priority, although, during the period of negotiations on Pitjantjatjara land rights, the membership of the Aboriginal Customary Law Committee periodically consulted with members of the Australian Law Reform Commission on a similar reference and undertook some very low-key work on a care and maintenance basis.

I have recently had some discussions with the Chairman of that committee and indicated that I intend to reactivate the Aboriginal Customary Law Committee in view of the achievements in the Pitjantjatjara land rights area. It will possibly not be following exactly the same course as previously, but that is a decision which still has to be made. This week I had some discussions with a member of the Australian Law Reform Commission in respect of its reference to Aboriginal customary law. I intend that the South Australian committee will have some contact with the Australian Law Reform Commission in regard to that matter. In fact, the commission has drawn on work of the South Australian Aboriginal Customary Law Committee as well as other areas in South Australia in working up recommendations on its own reference. I do intend to make some changes to the membership of the committee, but at this stage no final decision has been made.

The Hon. C. J. SUMNER: I notice under the Attorney-General's miscellaneous provision that there has been a substantial increase in the proposed allocation for compensation of injuries resulting from criminal acts, that is, payments made by the Crown under the Criminal Injuries Compensation Act. Does the Attorney believe there will be a substantial increase in claims under the Act? Can he give any reason for that increase? Is there an increase in the number of claims being made and processed? If there is, why is it occurring?

The Hon. K. T. GRIFFIN: The honourable member may be aware that in 1978 the maximum penalty was increased from \$2 000 to \$10 000. In the last financial year the effect of the increase was starting to flow through the system, with increased amounts being awarded because of claims arising out of offences which occurred after the change was made in 1978. We expect that in the current year the momentum will increase, partly as a result of that increase in the maximum, and partly also because there is a greater awareness by victims of crime of the availability of payment under this Act. It is to be noted that in 1979-80 the amount provided in the Estimates was \$150 000; in

fact, \$184 290 was paid out.

The Hon. C. J. SUMNER: Have you information on the number of claims?

The Hon. K. T. GRIFFIN: In regard to the number of claims, I will have that information researched and I will make it available to the honourable member.

The Hon. C. J. SUMNER: I thank the Attorney for the information. It would be useful if he could provide a comparison with the number of claims in the past two or three years. Some time ago legislation was passed by this Parliament abolishing the offence of common drunkenness. I do not believe that legislation has been proclaimed, because part of the scheme in that legislation involved alternative facilities being made available for persons who were apprehended and found drunk in public places. The horrible phrase in the legislation referred, I think, to detoxification or sobering up centres. Does the Government intend to proclaim this legislation, and have any steps been taken to establish sobering up or detoxification centres?

The Hon. K. T. GRIFFIN: It is essentially the responsibility of the Minister of Health. Certainly, legislation was enacted several years ago to provide for those who are arrested for the commission of the offence of common drunkenness to be taken to sobering up centres, and there was a very well defined schedule of times during which detention could be arranged, and then consequences flowed from that. I think there were a number of difficulties in that legislation: one was the fact that the sobering up centres were likely to be police stations. Also, there were difficulties, I think, in matters of civil liberties, and there was some concern in the community that a person who was so detained was being detained without trial. I know that the Minister of Health has been giving consideration to this matter, but I am not aware of the final decision that she may have taken or been in the process of taking in regard to this matter.

I do know that the Alcohol and Drug Addicts (Treatment) Board has been substantially upgraded in status and responsibility, and that if the abolition of public drunkenness offences is to be proclaimed the weight of the responsibility will fall on the board. Regarding the position of the detoxification units or other centres, I am not aware of the arrangements, if any, that may have been made, but I will arrange for the appropriate question to be asked of the Minister.

The Hon. C. J. SUMNER: I understand that the Attorney can now provide me with details on the number of claims made in regard to criminal injuries compensation.

The Hon. K. T. GRIFFIN: The following payments have been made in recent years:

Year	No. of Claims	Amount \$
1974-75	12	13 934.18
1975-76	23	23 677.18
1976-77	33	48 772
1977-78	46	71 088.09
1978-79	58	107 241.74
1979-80	83	184 289.55

The Hon. C. J. SUMNER: Prior to the last election there was some discussion about the appropriate staff that should be allocated to Supreme Court judges, in particular, about whether or not it was necessary for judges to have tipstaves. There was a complicated argument involved in this, as I recall, and as a result of that prior to the last election I asked the Public Service Board to carry out almost a cost-benefit investigation of the value of tipstaves or other staff (additional clerks of arraigns or attendants in court) who may be necessary if Supreme

Court judges did not have tipstaves. Has the Attorney-General any details of the results of that investigation, and can he say whether any action has been taken as a result of it?

The Hon. K. T. GRIFFIN: In the Budget Estimates Committees questions were asked by Mr. Duncan and Mr. McRae about the personal staff of Supreme Court judges. There was a rearranging of staff in relation to the Clerk of Arraigns and the tipstaves' section. As a result of that reorganisation, there was a net increase of one. Also, as a result of that rearrangement, three formal positions for tipstaves and positions for one associate and one stenographer grade 2 were created. There is presently an arrangement whereby judges who were appointed before the previous Government's changes in policy with respect to the personal staff of judges are able to retain their tipstaff and personal secretary. Judges appointed since that time have either a personal secretary or tipstaff, but there is also a pool of tipstaves who can be made available to judges who do not have a tipstaff to assist when those judges are in court.

The Hon. C. J. SUMNER: Can the Attorney say whether the Public Service Board inquiry was completed and whether the current arrangements are as a result of that inquiry, or have current arrangements come about in some other way?

The Hon. K. T. GRIFFIN: As far as I am aware, the current arrangements, particularly those that relate to the pool of tipstaves available to judges who do not have them, result from a Public Service Board recommendation. I will need to check that that answer is accurate. If it is not, I will arrange for an answer to be made available to the Leader.

The Hon. C. J. SUMNER: Can the Attorney-General tell the Committee whether any decisions have been made and, if so, what is the likely cost of the conversion of Moore's building?

The Hon. K. T. GRIFFIN: That is properly a matter for the Minister of Public Works.

The Hon. C. J. SUMNER: I note in the Attorney-General's lines that there is provision for \$10 000 for overseas visits of officers. Can the Attorney explain who it is on this occasion who gets the benefit of overseas travel, and for what reason?

The Hon. K. T. GRIFFIN: I have no intention of making an overseas trip. There was a provision for overseas travel. This picked up the tail end of Mr. Duncan's overseas trip, and a trip for Mr. Sumner as a result of a meeting of the Standing Committee of Attorneys-General in Papua New Guinea.

The Hon. C. J. SUMNER: I'm not complaining about that.

The Hon. K. T. GRIFFIN: I am not complaining about it, either.

The Hon. C. J. SUMNER: Under the criminal injuries compensation line, I have already mentioned the increase in support. In a judgment reported in the *Advertiser* on 5 July, Mr. Justice Jacobs was reported as saying that legislation should be changed to allow families of murder victims compensation for grievance and sorrow. Will the Attorney say whether the Government agrees with that remark and, if so, whether any amendments will be forthcoming to the Criminal Injuries Compensation Act?

The Hon. K. T. GRIFFIN: No decision has been made on that. Some aspects of the Criminal Injuries Compensation Act are under review now, but no decisions have been made.

The Hon. C. J. SUMNER: On page 35 an allocation is shown for the cost of the Constitutional Convention. I assume that that is the Australian Constitutional Convention, which meets somewhat infrequently and

which was originally promoted by the Whitlam Government (1972, I think, was the first occasion). Can the Attorney indicate whether another Constitutional Convention will be held in this financial year?

The Hon. K. T. GRIFFIN: Provision was made for a plenary session of the Constitutional Convention to be held in Adelaide during the current financial year. I have no information on whether or not that will occur, but the longer it is left the less likely it is that it will be held in the current financial year. I am not aware of any decision being made about that.

The Hon. C. J. SUMNER: Can the Attorney say whether the Government supports the continuation of the Australian Constitutional Convention conferences and the work it is doing and, if so, will he make representations to the Prime Minister to ascertain whether another plenary session can be held in the near future?

The Hon. K. T. GRIFFIN: The Government believes that this sort of convention is an appropriate forum to discuss constitutional questions. In fact, it is probably the only forum which is appropriate and we certainly support such a convention. It is not my responsibility to ask the Prime Minister to have such a convention. I will refer that matter to the Premier.

The Hon. C. J. SUMNER: My next question relates to the Chief Secretary's portfolio and, in particular, the police. Law and order is a matter that has been discussed in this Chamber on previous occasions. I would like the Committee to know that in the Liberal Government's policy before the last election there was a commitment to strengthen the Police Force. The policy in relation to the Police Force stated that another Liberal Government would:

1. Legislate to protect the Commissioner of Police from arbitrary dismissal; and,
2. Strengthen the Police Force.

On 6 November 1979, I asked the Attorney, in this Chamber, what the Government intended to do to implement its law and order policies and to reduce the crime rate in accordance with its commitment. The answer to that question, or part of the answer, was that there would be an increase in support for the police. During an Estimates Committee meeting, the Police Commissioner made quite clear that, during the past 12 months, as in the past few years, there had been an increase in the crime rate in South Australia. However, the Budget papers indicate that there has, in fact, been a decrease in real terms in the allocation to the Police Department.

I think this is something of which the Government ought to be ashamed. It made a clear commitment before the election last year to strengthening the Police Force, and reaffirmed that commitment after the election. Now, in the first real Budget, as it has been called, that it has a responsibility for, it has cut the allocation for the Police Force in real terms.

The Government, when in Opposition, was prepared to make these statements about law and order solely to win votes. There has been an increase in crime since the Government came to office but it has done nothing about strengthening the Police Force. When will it honour its promise about doing that and when will this appear in increased allocations in the Budget papers?

The Hon. C. M. HILL: The Government certainly has the matter of strengthening the police manpower well under review.

The Hon. C. J. SUMNER: Why have you cut it?

The Hon. C. M. HILL: The allocation to the Police Force in the current year in totality is \$72 799 000, whereas in the previous year the amount spent was \$70 919 000. There is an increase. In regard to the

manpower allocation this current year, the figure is \$3 880 000, whereas in 1979-80 it was \$3 829 000. I do not think the Leader can therefore claim that this Government has turned its back on its promise to strengthen the Police Department where it finds it necessary to do so. The Chief Secretary is watching the situation closely and it is possible that, if some emergency programme can be implemented this current year, these figures may be exceeded. I refute the claim by the Leader that this Government is not doing anything about the matter.

The Hon. C. J. SUMNER: It is clear that the allocation has been cut in real terms if you assume a rate of inflation of 10 per cent this financial year. I do not think anyone opposite would disagree with that. Promises were made before the election about strengthening the Police Force but there has been a cut in real terms.

I now wish to turn to the ethnic affairs area. There has been an increase under the ethnic affairs line, which I understand the Minister has explained previously, to \$429 000 proposed for 1980-81. The Minister has explained that that is because of the new Ethnic Affairs Commission that will be established. To what matters will these additional funds be allocated as a result of the establishment of the commission?

The Hon. C. M. HILL: We were in some doubt as to the exact impact of the proposed Ethnic Affairs Commission when these figures were drawn up. The reason was that the Bill had not been approved by Parliament, so we did the best we could to estimate the increases in the current financial year occasioned by the commission being established. We also knew there would be an increase in the number of interpreters and translators and also information officers who are being employed, in conjunction with the Commonwealth Government, particularly in the health area. More funding was required for that activity.

I cannot give an exact split-up of the amount that it was thought would be needed for the commission. It is interesting that only last night the Bill finally passed Parliament, and we intend now to set about the task of establishing the commission. It appears that some small outgoings will come into effect in January and February, and from then on there will be an increase in demand for funds in this current financial year.

The Hon. C. J. SUMNER: Ethnic Broadcasters Incorporated received \$20 000 last financial year, but nothing is allocated this year. Can the Minister explain why that grant, which has been in existence for some years, will no longer be made?

The Hon. C. M. HILL: That will be taken care of under the provision for community radio, which has been transferred to the Minister of Arts line. We have decided to administer grants to community radio through the Department for the Arts, and Ethnic Broadcasters Incorporated is deemed to be one of the radio stations that will be considered for grants under community radio.

It seemed that the best practice was to switch the funding to the arts administration. We had 5MMM at Magill, to which we gave considerable funds in the previous financial year. Station SUV comes under this heading, and in various regions, such as the Barossa Valley, Salisbury and Mount Gambier, organisations wish to establish their own community radio stations, and we expect some applications from them, too.

Because Ethnic Broadcasters Incorporated is omitted from the provision to which the Leader has referred, that does not mean that funding for it will be stopped. It is simply going into a basket arrangement. A special committee, the Community Radio Committee, is being formed and will make recommendations to me as to

funding to be granted. Under the Department for the Arts, \$60 000 has been allocated for this year.

The Hon. C. J. SUMNER: Can the Minister say why the health working party, which was in existence prior to the election last year, has met only three times in the past 13 months and why the police migration working party, which also was established before the election, met only twice up to July this year?

Does that indicate a complete disinterest by the Government, particularly the Minister and the Premier, in pursuing policies that would implement programmes in these two areas?

The Hon. C. M. HILL: It does not indicate any disinterest by the Premier or myself at all in regard to those two working parties to which the honourable member referred. The Chairman and one of the members of the working party dealing with police matters and court interpreter services came to see the Premier and me soon after the Government changed and sought our general views and instructions concerning that committee and its work. We told the Chairman and the member that we were quite happy for that committee to continue its activity and that we looked forward to receiving its report and recommendations. Unfortunately, it appears that the working party has been bogged down. Although I do not have the information at my fingertips, I understand that one of the reasons for the delay has been some reluctance on the part of the Police Department.

The Hon. C. J. Sumner: Why don't you get on and tell them to provide the information?

The Hon. C. M. HILL: We are quite happy to take whatever action we think fit after the working party informs us accordingly. We have not received an interim report from that working party. We simply understand that some delays have come about because of the negotiations that are necessary between such a working party and the Police Department. Some difficulties are understandable if one takes a sensible view of the situation, because some interpreters are retained, I understand, by the Police Department. There are one or two who are employed full-time in that department. Some part-time or contract interpreters, who come under the umbrella of the Ethnic Affairs Branch, specialise in that kind of work, and some do not. It is not an easy matter to solve but certainly the Government is not going to accept any blame at this point in regard to this matter. It is in the hands of a committee set up by the honourable gentleman who asked the question, a committee which the present Government is happy to continue with.

The Hon. J. E. Dunford: Provided they do nothing—is that what you're saying?

The Hon. C. M. HILL: Do not take too much notice of the Leader or you will get into trouble. I was saying that we asked the working party to continue with its work and in due course to present a report. We have not got that report, and therefore we cannot be blamed in any way in the matter.

In regard to the working committee on health matters, I am prepared to admit that it seems to have got bogged down along the way. The honourable member has asked two or three questions since he has been in the position he is in at the moment in this Chamber. There have been no instructions by me that the committee should not continue its work. However, I admit that to the best of my knowledge it has not made a good deal of progress. One reason that I have not been over concerned about is that the initiatives which the Government has taken in relation to interpreters and translators who are now going to be put into hospitals—

The Hon. C. J. Sumner: Galbally money.

The Hon. C. M. HILL: It is only partly Galbally money, and the rest is our money.

The Hon. C. J. Sumner: There is nothing new about it.

The Hon. C. M. HILL: No, but it did not happen when the previous Government was in office.

The Hon. C. J. Sumner: It was under way.

The Hon. C. M. HILL: It was like so many other things that were under way.

The Hon. C. J. Sumner: You know that that proposal arose out of our Government.

The Hon. C. M. HILL: It did not. It arose out of the Galbally Report, which was the Federal Liberal Government's initiative. We are putting the interpreters and translators into the Royal Adelaide and Queen Elizabeth Hospitals. Information officers are being put there also, and we are providing the best service that the hospitals have ever been given by way of interpreter and translation services.

The second reason that we have not pursued that committee's activities with a great deal of vigour is that we anticipated that the Ethnic Affairs Commission would be established. As honourable members know, the system of voluntary committees is implied within that legislation and it is the Government's intention, now that the Bill is passed, to set about establishing all the necessary committees in regard to its activity. One of these I am quite sure will deal with the very subject that the previous working party was investigating.

The Hon. C. J. Sumner: It's a previous one now—it's not in existence.

The Hon. C. M. HILL: It is in existence but I am saying that the previous subject matter that that committee was investigating will be dealt with in a more orderly way and will be known publicly to the ethnic people and others, because we were seeking the names for the working party membership in the various communities. I am sure that the material that has been already acquired and collated by that committee established by the former Government will be utilised as much as possible by the new committee, which will be established as soon as possible under the commission's structure.

The Hon. C. J. SUMNER: I thank the Minister for that explanation, which was not all that satisfactory. Nevertheless, I would like to correct one misunderstanding that might have occurred in relation to interpreting facilities now being provided. It was a co-operative venture between the Commonwealth Government and the State Government as a result of recommendations in the Galbally Report. At the time of the last election, negotiations to establish those positions were well advanced. The Minister knows that that required negotiation with the Commonwealth Government, and I am glad to see he has been able to conclude those negotiations successfully. There is nothing new about the proposal.

Also, I understand that a Local Government Fund has been set up which in some way covers the areas previously covered by the community welfare grants and funds: for instance, ethnic information services previously funded from the Community Welfare Grants Committee. What areas of activity will be covered by the Local Government Fund? What areas have been taken from community welfare and placed into the fund, and what areas have been taken from other departments and areas and placed under the Local Government Fund?

The Hon. C. M. HILL: At the time of the change of Government, the fund existed and the arrangements were that certain welfare institutions did absorb some of that fund. When the Government changed, and the Community Development Department was disbanded and a Local

Government Department established in its place, the question did arise as to the division of funding whereby institutions that were truly welfare in their nature were transferred, and the recipients of such money had come under the Community Welfare Department.

Some other institutions that were considered to be more of a community development nature were left under my administration to fund. I do not have the names of those specific institutions with me, but I can obtain them. Certainly, I can obtain the names of those institutions which will be funded on a continuing basis through the Local Government Assistance Fund. That fund is provided for on the lines that are now before the Committee, and I am pleased to say that the Government, which is placing considerable importance on properly organised community development activity, has seen its way clear to increase the allocation to that fund from the \$425 000 that was voted last year to \$500 000 this year.

The Hon. C. J. Sumner: But it has a greater responsibility. It has all the information centres.

The Hon. C. M. HILL: I assure the honourable member that we will, when making allocations this year, take into account the requests that come from community development boards through local councils in the respective areas. Certainly, information services will be given strong priority in relation to grants, as we wish to see information services associated with local government as much as possible. Information services will be funded through the Local Government Assistance Fund.

The Hon. C. J. Sumner: Who will make the application: the information service or the local council?

The Hon. C. M. HILL: Both are able to apply. A total of 55 councils in South Australia are now involved with community development boards, and we would prefer the information office or service to be part of the community development board arrangement. We would prefer applications to come through the board to the council, and to see the council make a recommendation to the department regarding the funds.

Councils will apply to the department, whether or not they have a community development board. Of course, we will then be able to assess our priorities, as about \$250 000 out of the \$500 000 will probably be available for general applications of this kind. In round terms, the balance will be committed to continuing commitments to associations which are established on a permanent basis and which have been given grants for a considerable number of years.

The Hon. C. J. SUMNER: Will the Minister say what is the likely future of grants to the Kilkenny Migrant Information Centre and the Italian Catholic Information and Welfare Centre at Seaton, and what means those associations will have of applying for funds for their continued existence?

The Hon. C. M. HILL: I am pleased to tell the honourable member, as I know that he has been concerned with this issue for some time, that we are making considerable progress in relation to the continuation of these information services. They would not have been approved as they stood and, therefore, in accordance with the Government's election policy (and I stress this), approved associations will be funded. Whenever the Opposition claims (as I heard it claim in another place last evening) that this Government has broken a promise because it said that it would go on funding these organisations, the Opposition conveniently leaves out the word "approved" that was in our policy. The Leader has that policy close to his heart, because he often quotes from it.

We are endeavouring to group these two information services under the general supervision of Woodville

council, which, I am pleased to say, has now entered into negotiations with us. The department is very confident that an arrangement will be finalised by which the Government will subsidise Woodville council, which in turn will fund these bodies to enable them to continue in such a way that is approved by the council.

Woodville council has agreed to this change in principle. It requires further negotiations with my department and with the two information services. However, it appears that we will be able to finalise arrangements whereby both the Kilkenny Migrant Information Centre and the Italian Catholic Centre at Findon can continue. The Government will continue allocating money, and this will be done through Woodville council.

The Hon. C. J. SUMNER: I now refer to the Budget Advisory Service, the role of which, the Liberal Party promised, would be strengthened. Will the Minister of Community Welfare say what Budget allocation is made for the implementation of that promise? It appears that the Government is refusing to go ahead with the proclamation and establishment of the necessary administrative structure to put into effect the debts repayment legislation, which is related very much to the Budget Advisory Service.

The Debts Repayment Bill was passed in this Council late in 1978, after very detailed investigation by a Select Committee of which the Minister was a member and in which I also participated. Last year, I had a report prepared with a view to implementing that legislation. Indeed, before the last election I gave details of the report to the present Minister.

The Liberal Party promised to strengthen the Budget Advisory Service. I should therefore like to know what it has done in that respect and what it intends to do in relation to the debts repayment legislation, which is very much related to the Budget Advisory Service and which would be a means of strengthening the role of that service. If the Government does not intend to proclaim and proceed with that legislation, will the Minister say why?

The Hon. J. C. BURDETT: The Leader will have noted that the amount for the Budget Advisory Service is less, but the service has nonetheless been strengthened. It has been substantially strengthened. In the past the only officers who were used to give budget advice were contract part-time officers. They are still the backbone of the service and include retired bank managers, accountants, housewives, particularly those with some sort of accounting or monetary experience, and in the past these were the sole people employed on contract who provided the advice.

It is intended to retain these people and this method of delivery of that service, but often it is inconvenient to clients to have access to part-time officers operating on contract. Often they can operate only at night or at times to suit themselves—these are part-time officers on contract—and this does not always suit the client. What the department has done and the way in which we have strengthened the service is that we have made the services of the administrative officer in each district office available for that purpose so that, although the actual allocation of money has been reduced, a large part of the work of providing budget advice is now being carried out by the administrative officer in each district office. There are 50 points of welfare service delivery throughout the State (although not all of these are district offices) and in that way the service has been strengthened.

In regard to the second part of the Leader's question, I point out that the question was asked when I appeared before the Estimates Committee. It is recorded in *Hansard* and there is no reason why, I suppose, it should

not be asked again or why I should not give the answer again in regard to the Debts Repayment Bill. That matter has been considered by the Government, which has decided not to proclaim the Act at this time. Of course, the previous Government went for a considerable period without proclaiming the Act. The main reason why the Government has decided not to proclaim it at this time is because, in the meantime, the Federal Government has substantially changed the laws relating to bankruptcy.

The Hon. C. J. Sumner: That's a ridiculous excuse.

The Hon. J. C. BURDETT: It is not a ridiculous excuse, because the substantial change made by the Federal Government is in relation mainly to small bankruptcies. I recall that the Australian Law Reform Commission investigated this matter, and it is coming very much into the same area as the Debts Repayment Bill. In view of the substantial cost to the taxpayer that would be involved—the Leader mentioned that when he showed me the report, which he did (and I thank him for his courtesy) when I was in Opposition—the Government has decided, especially in regard to the costing and whether the Act should be administered by the Department of Public and Consumer Affairs or the Department for Community Welfare, that the cost of administering it would be substantially less if it was carried out by the Department for Community Welfare.

I am sure that if the former Government had decided to proclaim that Act, that is what it would have done, that is, to have administered it through the Department for Community Welfare. If we do implement it at some future time, which we may, if the need appears to arise, that is what we are likely to do. In the meantime the Federal Government has introduced a changed bankruptcy law and it is much in the small bankruptcy field and extended field of small bankruptcies. It is bringing the areas of debts repayment—that was referred to at the time and described as mini bankruptcy—close to the more extended bankruptcy provisions that have been enacted by the Commonwealth.

It would be premature at this stage, until we know how the new Commonwealth provisions are going to operate (those provisions were carefully considered after receiving the report of the Australian Law Reform Commission), to proclaim the Debts Repayment Act at this stage. The Leader further referred to the Select Committee and to this Bill and associated Bills. He indicated that I was a member of the committee, as indeed he was, and the report of the committee was tabled so that the evidence given is now public and is available to the public.

The Leader will recall that a number of witnesses who gave evidence on behalf of debt collecting firms and businesses said that if the Act was passed and proclaimed and put into effect there would be a constitutional challenge under the Federal Constitution on the basis that the bankruptcy and insolvency power is exclusively in the Federal field and that that legislation impinged upon it. That was maintained then but it could be argued much more strongly now that Federal legislation has been passed to extend to the field of small bankruptcies.

The Hon. C. J. Sumner: You have not explained how that impinges on debt repayments.

The Hon. J. C. BURDETT: It was argued then, as the Leader will recall, that it did impinge and it does ever so much more now, because the extensions of small bankruptcies has been made. I am not so much worried about the threat: it is simply because of the weighing up of two factors. First, I think that the Government should wait before it proclaims the legislation until it sees how the new Federal legislation is going to operate; it was carefully considered and reported on by the Australian Law Reform

Commission; and, secondly, the substantial cost to the community cannot be ignored.

The Hon. C. J. SUMNER: The Hon. Mr. Hill has tended to cast some doubt on what promises were made by the Liberal Party on the question of community-based cultural and community centres. I have a press release here from him that presumably went out to everyone, and I quote:

4. Financial assistance will be given to—Community based cultural and community centres;

That was a clear statement, and I relate it to the statement in the Liberal Party policy which was distributed and which states:

Where approved cultural and community centres which have been established by ethnic groups encourage inter-relationships between other ethnic people, Australian-born citizens, and themselves, they will be given special financial assistance. Such initiatives deserve support from both Government and the community.

It is extraordinary that the Minister says that, because the word "approved" has been inserted in the policy, now certain community centres will be cut out. Of course "approved" merely means those cultural and community centres supported by the Government, but the Minister did not say that at the time of the election. The press release clearly referred to community and cultural centres, and now he is trying to say to the Council, and presumably to ethnic minority communities, that presumably that means community and cultural centres approved by the Government. They would not be funded by the Government if there was not approval of their activities, but that is not particularly surprising. Obviously, there must be some investigation of a cultural and community centre to see whether it accords with certain guidelines, but the clear impression given by the Minister before the last election was that these centres that have existed for a considerable time would be funded and if they were really community centres, that is, based on the community that supported them, such as the Thebarton Residents Association, they would continue to receive funds. The Minister has tried to wriggle out of this commitment by saying that community centres do not really mean those sorts of community centres but local government community centres.

That was his first excuse. Now, his second excuse is that they have to be in some way approved, and that that has given him reason for removing funds from one particular centre that had been in existence and established by the community for some considerable time. I feel sure that those people concerned will not be fooled by this excuse. As I said, there is a clear commitment in the policy, particularly reflected in the press release, that these community centres would be supported.

The Hon. C. M. HILL: If we are to stand up to accusations of having broken promises, then the proof of the pudding is in the policy of the Party, and the policy of the Party is abundantly clear—the word "approved" is there. The Leader can wave newspaper reports about if he wishes, but I want him to wave the policy of the Party about.

The Hon. C. J. Sumner: It is your press release.

The Hon. C. M. HILL: The policy of the Party states that approved community information centres will be funded. The particular ones to which the Leader refers were not approved by the new Government, and that is why they were not funded. Why were they not approved? They were not approved because they were not truly community centres; they were providing a service for one section of the community, whereas if such community centres are brought under the general umbrella of the

council, and if they are, in fact, manned by staff paid by the council (and I repeat again that these salaries are, in effect, subsidised by the Government), then the local governing body at local government level, and representing the total local community, will see to it that these services are spread over the whole community in their respective regions.

That is a check that I think any prudent Government ought to make, and for the previous Government to have apparently supported a policy by which little information centres could spring up all over the place which could be funded without any real check of small minority groups benefiting or the community at large benefiting from such public moneys, it should be ashamed of itself. The proper course to adopt is the policy that has been adopted by the Government, and we are standing by our printed policy issued at the last election. I refute the claim that the Leader, his friends in the other place, and some ethnic people he has indoctrinated have been making, that this Government has broken a promise in this regard.

The Hon. C. J. SUMNER: In view of the fact that the Minister has become agitated about this matter, I point out that I was not referring to a newspaper clipping; I was referring to a press release made by the Minister which quite clearly states (though I do not know how members of the press managed to read the release):

Financial assistance will be given to community based cultural and community centres.

Be that as it may, I think the reason that the Minister has given for withdrawing support from what was clearly a community based information centre which the Thebarton Residents Association established in association with the people running it and which had been running for some years, is quite spurious, particularly in view of the thrust, at least, of the commitment that the Liberal Party gave prior to the election. To get out of that by saying "approved" will really not wash.

I now direct a question to the Minister of Consumer Affairs about price control. I explained to the Council some days ago how there had been a 40 per cent, I believe, increase in the price of crushed rock between January and July of this year. That is one example of what has happened as a result of the removal of price control and the weakening of the price control system in this State which occurred in January of this year. I do not know whether increases in other areas have matched the 40 per cent increase in crushed rock prices. I hope they have not, because if they have we will be in desperate trouble in this State in competing with the other States in view of the traditional cost advantage which we have had in South Australia and which the Premier has referred to on a number of occasions.

What steps are being taken by the Minister's department to monitor the changes in price since the change in the price control system, the weakening of the price control system which the Liberal Party implemented in January? Also, will the Minister make available to the Committee the results of any monitoring that the Prices Commissioner is carrying out?

The Hon. J. C. BURDETT: I have explained to the Leader several times, but will explain again, that the price control system has not been weakened. All the powers are still there; they have not been removed. The investigative powers are there; all that has been done is to remove some items from formal control to justify monitoring. The main reason for this is that it has been a real hardship to some businesses that are trying to do the right thing. They found when their costs increased following a wage increase (and there have been many of them, and they have been hard to justify), or when other costs had gone up, that their

application was not granted for six or eight weeks sometimes, particularly if the application was made at Christmas time.

The move that was made was carefully explained at the time and has been explained carefully since. It was simply that the method is to allow a business to fix its own price and then, within five business days, to lodge with the Prices Branch the same information as was lodged before with applications. The sanction, of course, is that, if it is deemed that the increase is not justified, then that operator will be back under formal price control, so the advantage of the method is speed. I think that is good from everyone's point of view, both business and consumer, because it means that price increases can be passed on when they happen, and accurately.

With regard to crushed stone, I have mentioned before that prices in South Australia are very much below those in the Eastern States. The approved price for Melbourne by the P.J.T. is 60 per cent higher and Sydney 76 per cent higher than in South Australia, so obviously prices have been depressed in South Australia for some time. When the prices were increased justification was lodged, examined by the department in exactly the same manner as it would have been had this been an application for an increase, and was approved. As I have said before, a warning has been issued to this industry that the department will not tolerate any increase in the profit margins, but prices have to be justified on the basis of cost.

The monitoring that is undertaken has been done with justification. The same details are submitted as were submitted previously and the applications will not be made public. Just as the applications were not made public, the monitoring will not be public.

The Hon. C. J. Sumner interjecting:

The Hon. J. C. BURDETT: I think I am answering quietly and am not raising unnecessary points. I am entitled to answer the question as it has been asked. The first method of monitoring is to receive the justification just as the application was received previously, and that will not be made public, as it was not made public previously. Some items will be placed under monitoring, as opposed to justification, to keep an eye on the items.

In a general sense, the department has been monitoring that and picking out items across the board. It has been looking at any distortions that there may be in the apparent effect. This is an intra-departmental process in the division and will not be made public as a matter of course. If the member likes to ask me questions from time to time about particular items, I shall answer him if it appears to be appropriate, as it probably will be.

The Hon. C. J. SUMNER: Regarding grants to consumer organisations, can the Minister say what that provision is for?

The Hon. J. C. BURDETT: I do not think this will be any surprise to the Leader. When he was Minister, he made an allocation of \$25 000 for grants to consumer organisations, and this was allocated to the Consumer Association of South Australia, subject to the condition that it made certain facilities available. I attended the opening ceremony and heard the Minister speak. I also spoke to him afterwards. He said that the intention in making this allocation was to enable CASA to undertake a membership drive, in the hope that it would become self-supporting. The drive was undertaken but was not particularly successful.

Last year we allocated \$20 000 and \$17 000 went to CASA. We held \$3 000 in reserve, expecting the Tenants Association to apply. It did not apply, so we allocated the \$3 000 to CASA. I hope, as my predecessor hoped, that this year CASA will make itself financially independent,

because that would be an advantage. The Budget has not been passed, so an application has not come to my notice. When we receive the application, it will be considered. There is no doubt that CASA will receive a substantial part of the \$20 000.

When Mr. Nader was here, he spoke to me and was somewhat appalled at the thought of a consumer organisation being funded by the Government. He thought that the duty of a consumer organisation was to oppose the Government. I think that the Leader, when Minister, had that in mind, and I have it in mind, too. It will be my intention to see that the organisation is never left without funds, but I think it can function more satisfactorily and be less inhibited in saying what it thinks about Government policy if it makes itself independent.

The Hon. B. A. CHATTERTON: My question is directed to the Minister of Community Welfare, representing the Minister of Agriculture, and concerns the allocation for agriculture. The basic allocation has been reduced considerably in real terms, I think as much as any other Government department. How the Department of Agriculture will manage its resources within this considerably reduced Budget allocation is a matter of concern. The expenditure for the first three months of this financial year has been significantly higher than is allocated in this Budget.

The ways for a department to reduce expenditure are somewhat restricted. It can reduce expenditure considerably by reducing operating costs but the department is well aware that by doing that it reduces the efficiency of individual officers. If the officers do not have operating expenses, they cannot do their tasks. They cannot travel and do all the things required of officers.

Another way in which a department can reduce expenses is by not filling vacancies, but that depends on vacancies arising. If there are not resignations, the department cannot save in that direction, either. In the Estimates Committee, the Minister did not seem to be aware of the financial crisis in the department. I believe that the department is considering seriously how it can cope with reduced expenses and that branch heads and regional officers have been asked to produce a list of services showing how it can cut costs by 10 per cent in the services of the department.

I understand that that has to be done by the end of October, so probably it has only just been completed. I ask whether, when it has been completed, the Minister can provide the list of services within the Department of Agriculture that will be cut to make expenditure fit within the Budget allocations.

The Hon. J. C. BURDETT: I make the general comment that it has been made clear by the Government that this is, by and large, in many areas, a stand-fast budget. It is a time of economic stringency and the Government has not only acknowledged but has admitted that it is plain that it was necessary to have a stand-fast Budget at this time and one that does not lead to further Government expenditure.

Also, there has been, during our period of just over 12 months in office, in all departments and under the supervision of Treasury, a drive to greater efficiency. I have seen from my department that savings can be effected without, in my case, reducing the delivery of services and, in the case of the Department of Agriculture, the quality of what they are providing. That is very much an effort by this Government. Regarding the questions asked by the member, particularly about what will happen in future, obviously answers will have to be obtained, and I will obtain them.

The Hon. B. A. CHATTERTON: I thank the Minister. I

realise that he could not provide the information at this stage. I now refer to the regional operations provision for the department. The thrust of the question is that this line referred to the regions of the Department of Agriculture which have been expanded over the last few years. The previous Government started the south-eastern region and then went to the central region, and this has not been expanded to other regions in the State. I understand that is the reason for the increase in expenditure, because it represents a change of staff from people who were in the industry to those implementing the regional structure. I find it difficult to understand, if that programme and policy are being continued, as they seem to be within the Budget allocation, why they are in conflict with the programme Budget details, with which we were also provided and which show the programmes being undertaken by Government departments and various statutory authorities. Those programmes were to fulfil the various policies that the departments had.

We find it difficult to reconcile the conflict between the Budget papers we are discussing and the programme Budget. The programme Budget did not mention regions at all. As far as the programme Budget is concerned, the regions might well have been abolished. Can the Minister give an indication whether the Government's policy is represented in the Budget papers (that is, an expansion and continuation of the previous Government's policy on regionalisation), or is the Government's policy represented in the yellow book or programme Budget document, which gives no reference whatsoever to regional programmes and places no importance on the regions of the department?

The Hon. J. C. BURDETT: I am sure that, apart from the explanations along the lines of programme performance budgeting papers dealt with in this place, some departments were prepared on a regional basis, as was my own department. In order to give a detailed explanation to the honourable member, I will refer the matter to my colleague and bring down a reply.

The Hon. B. A. CHATTERTON: My next question refers to the line on page 70 in regard to grants made by the Minister to the Royal Agricultural and Horticultural Society. In 1977-80, \$25 000 was voted but actual payments were \$60 000. Will the Minister say why the amount was so much greater?

The Hon. J. C. BURDETT: I cannot provide the answer now but will obtain the information from my colleague and forward a reply. I notice that the figure voted was \$25 000 and that the amount proposed this year is \$25 000. There was obviously some special reason why the amount spent was \$60 000.

The Hon. BARBARA WIESE: I notice that the "Home-help/Homemaker Service" is referred to only for the central western region and that an amount of \$26 000 is proposed to be spent there. This is approximately \$1 500 more than actual payments made in 1979-80. I understand that with the introduction of training programmes more home-makers have become available, and the service was planned to be extended to Port Adelaide, Salisbury, Norwood and Prospect. Further expansion was planned for Christies Beach, Elizabeth and Gawler. I also understand that the increased demand for this service has led to the introduction of a priority list. Why is the amount allocated for the Home-help/Homemaker Service so small? Secondly, why have the funds been allocated only to the central western region and no other region? Has any expansion occurred at Christies Beach, Elizabeth or Gawler? Is any further expansion planned, and how many homemakers are now available to provide this service?

The Hon. J. C. BURDETT: Further expansion is being

considered, although I cannot say how many homemakers are available. It is a question of available funds. Discussions are proceeding with the Federal Government as to funds available for this purpose. Social indicators are used in each region to determine the amount of funds to be allocated in each area. This is a matter that is being looked at. It is not just a question of the homemakers available but also a question of funds available. Demand must also be taken into consideration.

The Hon. BARBARA WIESE: On page 87 of the Estimates of Expenditure there is provision for aged care in the northern country region, and I presume this relates to the Wami Kata Home for Aboriginal pensioners. I understand that there was a gradual reduction in the occupancy rate at that home last year. Will the Minister say whether this occupancy rate is still falling and what the present occupancy rate is? Have any negotiations been conducted into the need for nursing homes or geriatric facilities for Aboriginal people? If not, are any planned? If investigations have been undertaken, what are the results of those investigations?

The Hon. J. C. BURDETT: I cannot tell the honourable member the occupancy rate at the moment. The position in relation to Wami Kata is a difficult one because the responsibility for the care of Aboriginal aged and sick ceased some time ago to be the responsibility of the Department of Community Welfare and became the responsibility of the Health Commission. We still have Wami Kata. It is fairly hard to work out what is going to happen to it in the future. I have had a number of consultations with the Aboriginal people concerned and those who have been concerned about them, because it really is outside our responsibility. We decided to fund it for a further 12 months. In order to determine what had best be done for the future, it was suggested that there be an inquiry into it at a cost of about \$2 000. I agreed to the representations made to me for funding to set up research and find out what should happen. When we have the results of that, I will be happy to make them available to the honourable member.

The Hon. BARBARA WIESE: I refer to the funding of women's shelters. The Minister will remember that some weeks ago I asked a question about funding. My question was prompted by a newspaper report on the Naomi Women's Shelter in which the co-ordinator of that shelter claimed that the Department for Community Welfare had not given sufficient information about funding to enable her to plan in advance.

Since asking this question, I have spoken to the Naomi Women's Shelter co-ordinator, who has told me that the problems to which she referred in the report had arisen only since the present Government took office. In fact, since then the shelter has been notified in advance of funding on a three-monthly basis rather than on an annual basis, as has occurred in the past. If this practice is currently being followed, I am sure that members will agree that forward planning is made quite impossible. I understand that the Minister intended to investigate the complaints that were raised by the Naomi Women's Shelter. Will the Minister therefore say what the results of that investigation were and what action he intends to take to rectify the complaints that have been made?

The Hon. J. C. BURDETT: The honourable member asked her question immediately after the article appeared in the *Advertiser*. The person referred to was Mrs. Willcox, from the Naomi Women's Shelter, who referred to a report that she had prepared on this matter. I wrote to Mrs. Willcox immediately asking for a copy of the report so that I could examine it and see what could be done about the matters raised therein. As a result of writing to

her, I saw Mrs. Willcox and ascertained that there was not a report but a box of papers in which she had made notes about various matters.

I allocated two senior officers, including my Women's Adviser, to investigate the matter. I saw Mrs. Willcox with one of those officers present and offered to make our services available to her to prepare the report. I offered the services of the Women's Adviser to assist Mrs. Willcox in the preparation of the report, and I also offered assistance to enable the report to be typed. Further, I asked those two officers to continue with their investigations.

I informed the honourable member of this and told her that she could have access to the Women's Adviser. I assume that that happened, although I have not checked. The two people whom I have allocated to investigate the matter have not yet reported. I have heard the Women's Adviser refer from time to time to the typing of the report, and so on, but I still do not have any real details regarding exactly what Mrs. Willcox was saying.

I am anxious to get the report and to see Mrs. Willcox when I receive the report. I have offered Mrs. Willcox every co-operation, and that will continue. When I ascertain what Mrs. Willcox says is happening, and when all the information has been put together and can be evaluated, I will decide what can be done about it. Regarding funding, there has sometimes been difficulty in obtaining verification of the accounts. We have had to ask for that verification.

The Hon. BARBARA WIESE: I direct to the Minister of Local Government, representing the Minister of Education, a question concerning prison education. In the 1980 *Teachers Journal* there is a reference to the Tasker Committee report on prison education. I understand that the Minister stated at some time in the past that funding would be made available in the 1980-81 Budget for additional staff to be employed for this purpose. Has funding been made available for prison education and, if it has, how will the money be allocated?

The Hon. C. M. HILL: I am afraid that I do not have that specific information with me. However, I undertake to obtain it for the honourable member as soon as I can.

The Hon. BARBARA WIESE: I also address to the Minister of Local Government, representing the Minister of Education, a question regarding the future of ethnic schools. I understand that at present the Education Department allocates funding at the rate of \$28 a year per child for Saturday morning classes in ethnic languages. Will the Minister say whether that level of funding will be maintained this year, and what the future funding will be if it is proposed to change that amount? Also, what is the long-term future of ethnic schools, as I understand that some ethnic communities would prefer these ethnic classes to be incorporated into the normal school programme?

The Hon. C. M. HILL: As the honourable member has said, the figure is \$28 each year per student. I am pleased to say that that figure was fixed by the present Government following an election promise, the figure having previously been \$14. The present Government doubled it, believing that these ethnic families, in maintaining this form of their culture, namely, their language, deserved as much financial aid as the Government could afford to give for this purpose.

Most of our teaching is done by parents, and teaching aids were previously being contributed by voluntary donations. The \$14 was by no means enough. Even the \$28, in some circumstances, hardly covers the expenses that are incurred in the education process in all these schools on Saturday mornings. There are at present about 7 000 ethnic students in this category in South Australia.

Regarding their future, the Government will monitor the activity of schools, and certainly there is no intention of reducing the amount or cutting it out altogether. If the Government can afford to give more, it will certainly do so. In other words, the Government totally supports the concept of these parents and communities maintaining family life and preserving their culture in this way, and believes that they should be helped as much as possible.

Inter-weaving this system into the education system is an evolving process, and action is being monitored very closely. The whole system is being looked at by the Keeves Committee, and the Government is allocating resources through its ethnic affairs activities specifically for this task, in order to investigate the education needs of migrant children. This was one of the Liberal Party's promises at the last election.

The Hon. C. J. Sumner: Why isn't it in the terms of reference?

The Hon. C. M. HILL: There was no need for it to be included in the terms of reference. When the Keeves Committee was established, it was intended that this section of the Liberal Party's election policy and a promise in relation to the education needs of migrant children would be examined carefully.

So we really have to wait on the Keeves Report to see what would be the next steps. Overall, the picture seems to be that more and more bi-lingual education will occur within our education system, and more and more will become available in the higher and older streams, rather than the lower grades. The Government sees the problem in the situation of migrant children as a vitally important issue.

We know that there are many cases where it has been impossible for parents to learn English, and we believe that it is totally unfair on children to be forced into a high proportion of education in English during school hours and then have to go home and immediately turn off and use the language that their parents speak, turning back again next day during school hours to the use of English. It worried us when we formulated our ethnic and education policies, and so more and more opportunities for those children to involve themselves in bi-lingual education can be foreseen. Nevertheless, that inquiry will be looking at the whole question, and the Government will then consider that report.

The Hon. BARBARA WIESE: My question is directed to the Minister of Local Government, representing the Minister of Education. I understand that the Minister of Education gave an assurance that the security of D.F.E. staff employed on a contract basis would be quite safe under his administration. However, I have been told that few contracts have been renewed this year. Can the Minister say what is the Government's policy on this matter, and can he ascertain how many contracts have expired this year and how many of those contracts have been renewed?

The Hon. C. M. HILL: That is a policy matter which I must refer to my colleague. I will do that and bring down a full reply for the honourable member.

The Hon. ANNE LEVY: I would like to ask a question of the Minister of Local Government, representing the Minister of Education, relating to the provision of facilities for 3½-year-olds which was promised in the Liberal Party's election policies. At page 47 of the Estimates, under "Miscellaneous", the item for the childhood services programme is being increased: the proposed amount is increased by 9.7 per cent over what was spent last year. This is about the inflation rate so that, from my reading, the provision for this programme is to be maintained at a constant level.

As far as I know, the programme provides money to the Childhood Services Council for pre-school education. The council has no other sources of funds for pre-school, and I wonder whether the money provided for pre-school education is merely being maintained in real terms; is it intended for 1981 that there should be any steps at all towards implementing Government-funded pre-school facilities for 3½-year-olds? Previously, facilities were provided only for 4-year-olds and, to fulfil the election promise of facilities for 3½-year-olds, increases in real terms would have to be included in the Budget.

The Hon. C. M. HILL: I shall be very pleased to have a discussion with the Minister of Education about this matter. I assume that the Minister may be intending to introduce this in a future year but still within the term of the present Government. It does appear from the manner in which the honourable member has presented the case and analysed her figures that it certainly would not be in the 1980 financial year. I am happy to admit that, but perhaps other considerations should be included in a reply to the honourable member, and I will seek that expanded reply.

The Hon. ANNE LEVY: My question is to the Minister of Community Welfare, representing the Minister of Health. I realise that the Minister may not have the information at hand and may have to seek it, and I would be grateful if he would do so. In regard to health estimates, the Estimates of Expenditure are virtually useless, as I am sure the Minister agrees. In the document "Minister of Health, South Australian Health Commission 1980-81, Estimates of Expenditure", I cannot, perhaps because of my inadequacy, find any information regarding the school dental service. I understood that the Liberal Party had indicated that it hoped to have the school dental service extended to all primary schoolchildren by the 1981 academic year. Will the Minister obtain information on the expenditure on the school dental service and ascertain whether this promise is likely to be achieved, because I am unable to work that out from the documents before me?

The Hon. J. C. BURDETT: As has been traditional, and as the honourable member has said, the general presentation of the health budget has been quite unenlightening, because it is under the miscellaneous provision of the Minister of Health. That is where the method, which has been introduced by the present Government, of programme performance budgeting is being applied.

The Hon. Anne Levy: Why didn't we get the information?

The Hon. J. C. BURDETT: The system was applied in three departments, but in future it will be applied to all departments. It is realistic, particularly in regard to health. I will have to obtain the figures sought by the honourable member, and I will do that. I do not know whether the honourable member has had the opportunity of perusing the report on dental services tabled by the Minister of Health in another place on Tuesday, that is, the comprehensive report on dental services in South Australia. However, I will obtain the relevant figures for the honourable member.

The Hon. ANNE LEVY: Will the Minister of Community Welfare, representing the Minister of Health, seek additional information for me? The appendices of the Estimates indicate that many institutions are funded under various programmes from the Health Commission, but no indication is given of what sums are allocated, yet there are 54 community health and associated health programmes, 15 domiciliary services and 18 deficit-funded health institutions.

Will the Minister ascertain what sums have been

allocated to these 87 institutions? I understand that last year, in early November, that information was provided in response to a question in the House of Assembly, and I presume that the information must be available at about this time. We are now into the second quarter of the financial year, and I know that some of these bodies have not received any information as to what their grant will be for the current financial year. It obviously makes budgeting extremely difficult when the year is nearly half over before they are told how much money they have for the year.

The Hon. J. C. BURDETT: I will obtain the information that the honourable member has requested.

The Hon. ANNE LEVY: My next question is directed to the Attorney-General as Leader of the Council. Reference was made this afternoon to the programme performance budgeting papers, or the so-called yellow book, which I understand was distributed to all members of the other House and which I am sure they found very useful in studying the State Budget. However, no copies of that document were provided for members of this Chamber. Would it be possible to provide them to members of this Chamber in future and to make them available to us with the Budget Papers when the Budget is brought down next year so that we are not inhibited in trying to study the Budget?

The Hon. K. T. GRIFFIN: That book was made available to members of the House of Assembly as an aid during the Budget Estimates Committees stage. Next year it is intended that there will be a much wider use of programme performance budgeting in the presentation of the Budget papers. I will refer the honourable member's question to the Treasurer and let her have a reply.

The Hon. J. E. DUNFORD: I was interested to read on page 301 of the report on the Budget Estimates Committees that the officer accompanying the Minister of Health at the time (Mr. McKay, although I do not know his position) said:

As suggested by the Minister, it is a stand-still Budget, in fact a decrease in real terms given that we should have an inflation rate higher than the current allowance of the central office.

The Minister was reported on the same page as saying:

On a real terms basis, this would be a reduction of \$9 500 000 on level of funding in 1979-80 . . .

I am concerned that there is only one line for the Minister of Health's budget. Last night I was interested to see that a young man by the name of Ayres, who had just been released from prison, say that he had spent 10 of the past 14 months in prison on drug-related charges. That young man was addressing about 70 schoolchildren in the seven to eight-year-old age group. He was putting the case against drug use, with people starting on marihuana and light drugs and then developing the heroin habit.

He looked extremely fit and healthy, but I did not think his use was appropriate in this situation. I think trained educators or people who have had success with this sort of approach ought to be used for this purpose. I believe that the idea was good, but trained persons who know what they are doing and have knowledge of the system should be used for this purpose. Can the Minister of Community Welfare, representing the Minister of Health, say what funds have been allocated to support and expand the role of health educators in our schools to deal with drug dependence?

The Hon. J. C. BURDETT: The Mr. McKay referred to by the honourable member is Chairman of the Health Commission. The fact that the health budget is presented in one line leaves no doubt that it is not very helpful and that we need some explanation of the programme

performance budgeting procedure which this Government will use and which will provide much better and more useful information to members of the public than has been provided before. I will obtain a reply for the honourable member.

The Hon. J. E. DUNFORD: Will the Minister first investigate what success has been achieved in this matter, or what is the policy on people who are unskilled educators coming from prison and addressing schools on drug-related matters?

The Hon. J. C. BURDETT: That is probably only peripherally related to the Budget, but I will refer the honourable member's request to my colleague and see what answer she wishes to give.

The Hon. N. K. FOSTER: How much of the total allocation for the Correctional Services Department has been used to investigate any allegations of corruption, any matters within the Department of Correctional Services relating to corruption, any allegations of malpractice or behaviour of the officers or inmates of prisons, or any matter of a correctional nature in that department?

The Hon. K. T. GRIFFIN: I will have to refer that matter to the Chief Secretary.

The Hon. N. K. FOSTER: Will the Attorney-General, representing the Chief Secretary—

The Hon. C. M. HILL: I represent the Chief Secretary, so perhaps I should answer the honourable member's question.

The Hon. N. K. FOSTER: I will repeat the question. How much of the total allocation for the Correctional Services Department has been spent on investigating corruption, misappropriation or irregular practices within that department?

The Hon. C. M. HILL: As the honourable member knows, a Royal Commission has been established to look into the whole area of correctional services, and I would not like to comment on that at this stage. I also make the point that I do not believe that the honourable member's question is directly relevant to this line.

The Hon. N. K. FOSTER: Has a sum been allocated in regard to the Royal Commission?

The Hon. C. M. HILL: No specific line deals with the Royal Commission.

The Hon. N. K. FOSTER: I did not mention any particular line. In view of the fact that such a step was more than contemplated by the Government and the Cabinet, was a sum set aside for the appointment of an interstate judge? The Government must have recognised that cost would be involved. In view of the fact that a different system of examining the Budget was adopted (in the setting up of the Estimates Committees), which coincided with the Government's decision to hold a Royal Commission into correctional services, what sum has the Government put aside to meet such an eventuality?

The Hon. C. M. HILL: I point out that the Estimates of Expenditure were brought into the House of Assembly in August. At that time, such expenditure was not foreseen. If the honourable member wishes to know where funds will be obtained for the expenses of the Royal Commission, I can obtain a report as to what procedure the Government intends to adopt. I will also ascertain the procedures by which funds can be obtained for such matters which arise unexpectedly.

The Hon. N. K. FOSTER: Honourable members may recall that my initial question was answered by the Minister's saying that the matter was *sub judice* because a Royal Commission was involved. With due regard to your position, Mr. Chairman, may I refer, without quoting, to page 1493 of *Hansard* of 1978, at which time the Liberal Party was in Opposition. A ruling was given.

The CHAIRMAN: Order! You are straying away from the matter before us and I see no point in why you want to quote from any document regarding rulings or anything else. You have addressed questions to the Minister and you have not been ruled out of order on a point of *sub judice*. I cannot see what you intend to prove.

The Hon. N. K. FOSTER: Are you so ruling?

The CHAIRMAN: No. I would have spoken immediately you asked if I thought it was *sub judice*. You were not ruled out of order. You were answered in the way the Minister wished.

The Hon. N. K. FOSTER: I further asked the Minister the cost in the Department of Correctional Services in respect of a number of areas for which answers were not forthcoming. Members of the Committee were denied the right to question the Minister on his portfolio because of a ruling by the Chairman of the Estimates Committee.

The Hon. C. M. HILL: I do not know what questions were asked before the Estimates Committee.

The CHAIRMAN: A ruling by the Chairman of another Committee cannot be discussed here.

The Hon. N. K. FOSTER: I regard the refusal of the Minister to answer such questions on behalf of his colleague as being on the basis of a ruling given on incorrect advice and surmise and out of the spirit of the understanding of the Opposition so far as the Committees were concerned. I do not direct a question to the Minister but I seek your guidance on whether this Council can be inhibited from asking questions that are before it in the papers before it, by a ruling so conflicting and so ill-advised. I ask whether you will permit me to direct a question to the Minister on the basis of those matters that have been given public airing in the *Advertiser* on the day after the ruling by Mr. Russack, who was Chairman, and as to whether I am going to be inhibited by that ruling. Mr. Russack is not a member of this Council.

The CHAIRMAN: I do not want to hear any more about the ruling. I will continue to listen to your questions until I believe they are out of order. If you go on with such rambling as that, it is difficult to know what you are going to ask.

The Hon. N. K. FOSTER: The Minister has answered a question by saying that he cannot answer because of the *sub judice* rule.

The Hon. M. B. Cameron: He didn't say that.

The Hon. N. K. FOSTER: He should not have said it, but he has said it.

The CHAIRMAN: The Hon. Mr. Foster has explained fully that he intends to ask a question. I just request him to ask the question.

The Hon. N. K. FOSTER: What amount of additional cost was there to the Department of Correctional Services in respect of the escape or letting out of a prisoner recently from Yatala Labour Prison? He does not exist as far as I am concerned under the Standing Orders of this place, with all respect, so you need not look back to see who is coming into the Council. What costs were incurred by the escape of a prisoner from the Yatala Labour Prison, which prisoner, according to published reports in the press and the media of the State, had left the prison as an inside job, and who incurred a great deal of public expenditure, and who has never been apprehended, in the interests of public safety, particularly those areas of which the prisoner was renowned for committing crimes?

The CHAIRMAN: Order! Without continuing any further, the honourable member has gone further than he should have gone in explaining his question. I rule the question out of order.

The Hon. N. K. FOSTER: With some reluctance, I move:

That the Chairman's ruling be disagreed to.

The President having resumed the Chair:

The PRESIDENT: The ruling given by the Chairman has been objected to by the honourable member. As President, I uphold the Chairman's ruling.

The Hon. N. K. FOSTER: Am I permitted to bring up my reason as to why I disagree with your ruling?

The PRESIDENT: The honourable member must bring up his reason in writing.

The Hon. N. K. FOSTER: I formally disagree to your ruling, Mr. President.

The Hon. C. J. SUMNER: I rise on a point of order. As I understand the Standing Orders, you, Mr. President, have now made a ruling which confirms the ruling that you made as Chairman of the whole. The ruling that you have now made is under Standing Order 205. The Hon. Mr. Foster has produced his reasons for disagreement in writing and has moved a motion of dissent to your ruling as President. My understanding is that the matter ought to be dealt with in the normal course of events on the next day of sitting. I ask whether or not, if this motion is now accepted by the Council, or at least seconded, that matter would not then be immediately put off until next Tuesday, when the Committee of the whole Council can be resumed, and the debate on and consideration of the Budget be proceeded with tonight.

The PRESIDENT: Unless the Council decides that the matter requires immediate determination and it is so resolved, the debate on the motion for disagreement to the President's ruling must be adjourned and be made the first order of the day on the next day of sitting. It is in the hands of the Council.

The Hon. C. J. SUMNER: I appreciate that. The question on which I ask your ruling, Mr. President, is, whether or not that occurs (that is, that the matter be adjourned until next Tuesday), is it still competent for the Council to return to the Committee deliberations and complete the consideration of the Bill before us?

The PRESIDENT: This is merely a small intrusion in proceedings.

The Hon. C. J. SUMNER: In that case, I second the motion.

The PRESIDENT: If any member wishes, it can be moved that the debate on the motion to disagree to the President's ruling be proceeded with forthwith.

The Hon. K. T. GRIFFIN: I move:

That the debate on the motion for disagreement to the President's ruling be proceeded with forthwith.

Motion carried.

The PRESIDENT: The question before the Chair is: "That the President's ruling be disagreed to."

The Hon. N. K. FOSTER: If it is the wish of the Attorney-General for me to proceed with the reasons why I disagree to your ruling, Sir, I will be brief. I have been accused by Government members of bearing some malice in relation to this matter but, with respect to you, Sir, that is not the case. I express some surprise that the matter was not raised in the other place before the Estimates came to this Chamber. I was surprised that the matter was not settled there.

I will deal with previous rulings of Speakers of the House of Assembly and the House of Assembly ruling in support of which was given a ruling of the House of Commons. At page 1493 of *Hansard* of 14 February 1978, the Speaker ruled on a matter which was *sub judice*. It was the subject of a Royal Commission, a matter made public by the then Premier, Don Dunstan, a matter which will not go away—the dismissal of the then Commissioner of Police.

Your ruling was given, as I understand it, in the spirit

that you were upholding the denial or the reluctance of the Minister of Local Government in this Chamber to answer questions when representing the Chief Secretary, and in regard to a number of those questions there was a prohibition on members of the Committee questioning that Minister. The ruling in the Estimates Committee was given by a person not greatly involved with the procedures of this Council or the other place. He has not had wide experience in matters of chairmanship. I refer to Mr. Russack, who was the Chairman of the Estimates Committee on that day. One need not be a Rhodes scholar to understand your ruling, Sir, or to know, as is known in the by-ways of this Parliamentary building, that the ruling by Mr. Russack was given on the advice of the Speaker, who in turn was advised by some other person. I think that person or the Speaker erred and has loaded this Chamber with the problems of being unable to probe matters that are in the public interest. Let me read a brief extract from page 1493 of *Hansard*, to which I have already referred:

The SPEAKER: In recent years in the House of Commons the tendency has been for the House to realise that it is tied hand and foot—

and I want those words underlined and in bold print— with hard and fast rules which prevented discussions on matters *sub judice*, but the press and others outside Parliament—

and this is the exact situation—

are not so handicapped—

and I underline that word—

and an effort is now being made to break the bonds with which Parliament has tied itself.

On 23 September 1970, Mr. Speaker Hurst allowed a motion to be debated which in effect would have added a further term of reference to a Royal Commission's terms of reference, although the previous day he had ruled that matters referring to a Royal Commission could not be debated. *Erskine May* says that more recently the House has resolved to allow reference to be made to matters awaiting or under jurisdiction, subject to the discretion of the Chair. I emphasise that point, too. The then Speaker continued:

In this case I have decided to exercise this discretion, provided there is no real and substantial danger of prejudice to the proceedings of the Royal Commission. I am therefore ruling that the urgency motion intended to be moved by the Leader of the Opposition may be proceeded with. I have received from the Leader of the Opposition the following letter:

I desire to inform you that this day it is my intention to move that this House at its rising adjourn until 1 p.m. tomorrow for the purpose of discussing a matter of urgency, namely, that, because of the high level of community concern that the terms of reference for the Royal Commission into the dismissal of the former Commissioner of Police, Mr. H. H. Salisbury, are not sufficiently wide to allow investigation. . .

I will not refer further to *Hansard*. The public has been inhibited by a ruling. Of course, the ruling was given not by a Speaker or President, who are elected properly with the full concurrence of the Houses, but by a Chairman.

The PRESIDENT: Order! The honourable member has had a fairly good run and should not cast reflections.

The Hon. N. K. FOSTER: I realise that. I disagree with your ruling, Sir, which was inhibitive, and ask honourable members to support the motion.

The Hon. C. J. SUMNER: I support the motion. I believe that the question that the Hon. Mr. Foster asked of the Minister of Local Government, representing the Chief Secretary, was quite innocuous and did not impinge in any way on the terms of reference of the Royal Commission. I am surprised that you, Sir, jumped in. The

proper way to handle the matter would have been for the Minister to say that he would obtain the information. The Hon. Mr. Foster merely asked (as I recall the question) what funds had been appropriated to deal with the escape of a prisoner from Yatala Gaol earlier this year.

How anyone, including honourable members opposite, can find that that offends the *sub judice* rule, I do not know. I am disappointed that the Attorney-General decided to proceed with the matter tonight, because I had explained to the Attorney previously that the Opposition would co-operate to get this Bill passed tonight. Indeed, that is still my intention. I ask, Sir, whether you will give reasons for your ruling, and whether the motion can be dealt with next Tuesday. We could then proceed with the Committee debate, and at least that will allow us to sort out the matter over the weekend and, if necessary, have a considered debate on it next week. However, the Attorney-General (I am sorry that he has found it necessary to do so) has decided that the Committee will proceed with the matter immediately. As a result, we now find ourselves in this fix.

I do not believe, Sir, that your ruling was correct. I believe, as I am sure any member who looks at the matter will believe, that the Hon. Mr. Foster's question was completely innocuous and did not impinge in any way on any deliberations on which the Royal Commissioner might embark. I do not know whether this problem can be solved. It would have been better if we could debate it next week.

I do not know whether the Attorney-General or someone else is willing to move for the adjournment of the debate on this motion of dissent. The Committee could then continue with the consideration of the Bill, and, next Tuesday, when we would have the *Hansard* report of the Hon. Mr. Foster's precise question, we could proceed with the debate on the motion. In the meantime, all members could consider the matter.

The issue of *sub judice* and the rights of the Parliament *vis-a-vis* other judicial bodies or other bodies carrying out inquiries is a serious question. It is not a frivolous issue and is a matter that we ought to give proper consideration to. I feel constrained to support the honourable member's motion because I feel that the question was completely innocuous, from anyone's view of the *sub judice* rule. I would prefer that the matter be adjourned.

The PRESIDENT: Unfortunately the Council has decided to proceed.

The Hon. C. J. SUMNER: Any debate can be adjourned; it is only the motion that must be proceeded with.

The Hon. C. M. Hill: Let's vote on it.

The Hon. C. J. SUMNER: It looks as if honourable members wish to have a vote, and I think that they will probably be voting with us, because I cannot see how they can sustain this proposition. I am sure that some questions in relation to the Royal Commission would be *sub judice*. If one asked whether prisoner A had assaulted prisoner B on a certain day, that would be a matter that would be clearly covered by the Royal Commission and it would be prejudicial to a decision of that Royal Commission for that question to be gone into. That would be a legitimate ruling on a *sub judice* matter. However, I believe that in an Estimates Committee in another place the ruling was too broad. I believe that the ruling that you, Mr. President, have given today is even broader. Therefore, I think that the rights of the Council and the Parliament are much involved with this and that honourable members ought to give serious consideration to the ruling. If they vote against the motion of dissent, they are definitely restricting—and restricting quite dramatically—the rights

of Parliament in this issue.

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

The Hon. C. J. SUMNER: I have conceded that there are legitimate areas of *sub judice*; if you are talking about particular events that are specifically covered by the Royal Commission—

The Hon. M. B. Cameron: The whole thing is a set-up and you know it.

The Hon. N. K. Foster: That's not true: go and ram your head—

The PRESIDENT: Order!

The Hon. C. J. SUMNER: To ask what funds or what moneys are being expended in relation to Yatala Labour Prison does not offend the *sub judice* rule at all. We ought to be very careful about motions of this kind.

The Hon. C. M. Hill: He just ruled the question out of order.

The Hon. C. J. SUMNER: The reason—

The PRESIDENT: I will tell you all about it when you sit down.

The Hon. C. J. SUMNER: If there was some other reason for the ruling you, Mr. President, should give some indication of what it was. If there is some other reason then it is even more extraordinary and, if it is not the *sub judice*—what is it? It is a specific question relating to the Department of Correctional Services in regard to the situation of an escaping prisoner. That is a matter of funds. If the ruling was for relevance or that the question did not deal with funds or the Budget, then the ruling should be thrown out for even more cogent reasons than if it was based on the *sub judice* rule. Whatever the basis of the ruling—*sub judice*, relevance, or not dealing with the Budget—the ruling is wrong.

The Hon. C. M. Hill: You do not know what it is.

The Hon. C. J. SUMNER: We know what the ruling is, we know what the question is.

The Hon. C. M. Hill: You do not know the reasons.

The Hon. C. J. SUMNER: We have to debate it before the reasons are given, for some reason. That is why I say the debate should be adjourned until next Tuesday. That would have followed the usual practice, which you, Mr. President, have not followed on this occasion. You could have given a statement to the Council on the reasons for the ruling, which is the usual practice, and then the debate could have continued. That is why I asked whether the matter could be debated next Tuesday and considered then. That is why the two matters should be adjourned now in order to enable proper consideration. It is far too easy to disregard the principles that this Parliament ought to be prepared to debate in regard to these issues, whether it is *sub judice*, a question of relevance, or whatever. The question was innocuous, and it ought not to be ruled out.

On those grounds, I support the Hon. Mr. Foster. I would hope that the Government would accede to a request to enable this matter to be properly determined next week.

The Hon. K. T. GRIFFIN: Mr. President, your ruling is in relation to one question, and it is important to resolve it tonight rather than to allow it to drift on to next week. If the Hon. Mr. Foster was looking to establish a precedent in relation to the *sub judice* rule, then he picked the wrong question to do it on. It was quite obvious that the Hon. Mr. Foster was endeavouring to set up the argument so that he could debate the question of *sub judice*. He asked the Minister of Local Government whether the Chief Secretary was aware of any graft or corruption at Yatala Labour Prison. The Minister said that he believed that that question was *sub judice*. He then went on with at least two other questions, and the Hon. Mr. Foster did not take his

point of order. Then he started to waffle around, and he came back and asked a question about the escape of Tognolini, obviously anxious to set up the question so that he could debate the *sub judice* rule. He then got his ruling from the President.

The Hon. N. K. FOSTER: On a point of order, Mr. President. The term "set up" implies that I did something underhanded, and that is not so. The implication is there, and the Attorney should withdraw it.

The PRESIDENT: The honourable Attorney-General.

The Hon. K. T. GRIFFIN: Undoubtedly a course of action was being followed by the Hon. Mr. Foster which was designed to ensure that at some stage during this debate the question debated in the other place during the Budget Estimates Committees, the question of the *sub judice* rule, would become a matter of debate in this Council.

The Hon. N. K. Foster: I asked the Clerk of this place late this afternoon, but my Leader did not know until five minutes before I spoke—

The PRESIDENT: Order! We do not want to make the matter worse than it is.

The Hon. K. T. GRIFFIN: I want this matter resolved tonight, and I want the Committee stage of the financial Bills to continue and be passed tonight, if necessary after dinner. I believe this question ought to be resolved now and not postponed until Tuesday. If the honourable member wanted to debate the wider question of *sub judice*, I am sure he could have found a better basis upon which to do it.

The Hon. R. C. DeGARIS: As the Hon. Mr. Sumner has said, there are obviously in this matter of correctional services questions that are *sub judice*, and there are questions which quite obviously are not *sub judice*. I think that the important question here is the reason for your ruling, Mr. President. I would like to deal with that question, because we must be very careful that we do not allow actions to be taken that crush normal debate in the Parliament of this State. Whether or not one agrees with the question, one must come back to the point that in this Council we are governed by Standing Orders, and those Standing Orders, particularly Standing Order No. 1, deal with the fact that we follow the procedures of the House of Commons when no other Standing Order covers an issue in this Council. With regard to the *sub judice* rule, Mr. President, I do not know whether or not you have ruled that that question was *sub judice*, but the House of Commons recently issued guidelines on this particular matter, and ruled that, subject to the discretion of the Chair always and the right of the House to legislate on matters before criminal courts, courts martial, and judicial bodies such as tribunals of inquiry, questions can be directed.

In June 1972 the House of Commons resolved that, subject to the discretion of the Chair, reference may be made in questions, motions or debate to matters awaiting or under adjudication in all civil courts, including the National Industrial Relations Court, in so far as such matters relate to a Ministerial decision which cannot be challenged in court except on grounds of misdirection or bad faith, or concern issues of national importance such as the national economy, public order or the essentials of life.

It was further resolved that, in exercising its discretion, the Chair should not allow reference to such matters if it appears that there is a real and substantial danger of prejudice to the proceedings. I am still unsure of the reason for your ruling, Mr. President. I would grant you that the Hon. Mr. Foster's question was probably irrelevant to the Budget debate. However, as to the

question of *sub judice*, I agree with what the Hon. Mr. Sumner has said. This Parliament would be doing itself a great injustice if it were ruled that the question is a matter of *sub judice*.

The PRESIDENT: I want to make a number of remarks regarding the whole debate and the stupidity of it. I did not rule the question as *sub judice* in the first place. The honourable member did not stop to question whether I had ruled it *sub judice*, as he was apparently determined to set me up on this particular question. The other thing that I want to make quite clear is that, although I do not agree entirely with the sentiments expressed by the Hon. Mr. DeGaris, I agree with much of what he said in his quotations regarding the question of *sub judice*. Questions should be allowed to be asked, and if they are *sub judice* they should be ruled as such accordingly. I ruled the question out of order because it was about the third time that the honourable member had arrived at the same position. In my opinion it was completely jumbled, and I did not think it was in order that the honourable member should keep on hammering the same position. I do not think I need to repeat the Hon. Mr. Foster's question.

Members interjecting:

The PRESIDENT: As Chairman, I ruled as follows:

Order! Without continuing any further, the honourable member has gone further than he should have gone in explaining his question. I rule the question out of order.

The Hon. C. J. Sumner: What was the question?

The PRESIDENT: I shall read the question if that is what honourable members want. The question was as follows:

The Hon. N. K. FOSTER: What amount of additional cost was there to the Department of Correctional Services in respect of the escape or letting out of a prisoner recently from Yatala Labour Prison? He does not exist as far as I am concerned under the Standing Orders of this place, with all respect, so you need not look back to see who is coming into the Council. What costs were incurred by the escape of a prisoner from the Yatala Labour Prison, which prisoner, according to published reports in the press and the media of the State, had left the prison as an inside job, who incurred a great deal of public expenditure and who has never been apprehended in the interests of public safety, particularly those areas of which the prisoner was renowned for committing crimes?

The question was even more jumbled at that stage than it had been on previous occasions when it was asked. In any event, I ruled the question out of order. Your interpretation that I had ruled it as *sub judice* leads me to believe that you were seeking for me to rule you out of order on the *sub judice* question.

The Hon. FRANK BLEVINS: I, like some other members of the Council, regret that this debate has been brought on at this time. I think with the benefit of hindsight the Attorney probably agrees that the matter should have been left until Tuesday. However, what particularly concerns me is the explanation you have just given for your ruling, Mr. President. If my memory serves me correctly, Sir, that is the first time that the Hon. Mr. Foster asked that question.

To suggest as you did in your ruling, Sir, that the question was asked three times was, in my opinion, completely incorrect. On that issue alone, the explanation that you gave, with the greatest respect, does not stand up as sufficient reason for the question being ruled out of order. When one looks at the question, irrespective of whether it was asked once or three times, one sees that the question was completely innocuous. That type of question is asked constantly in debates of this nature, and the Minister in another place to whom the question was to be

referred could have supplied an answer. In due course, that answer could have been relayed back through the Hon. Mr. Hill.

I strongly support the Hon. Mr. Foster's motion on the two grounds that I have stated: that the question was asked for the first time; and that the question that was asked was perfectly proper. I know that the Hon. Mr. DeGaris likes to pride himself on being some kind of expert on Standing Orders, and whether or not that is justified is open to debate, but for him to say that the question was irrelevant is ridiculous, and it is a good job that he is not the President, because he would have made a dreadful ruling.

The PRESIDENT: I do not know why honourable members are so tense about this matter. I have never suggested that the Council should not disagree to my ruling. If I give a ruling and if the Council decides that I am incorrect, I am prepared to accept that, but on this occasion I feel quite certain that the Council should support my ruling.

The Council divided on the motion:

Ayes (10)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster (teller), Anne Levy, C. J. Sumner, and Barbara Wiese.

Noes (11)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Majority of 1 for the Noes.

Motion thus negated.

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That Standing Orders be so far suspended as to enable the sitting of the Council to be extended beyond 6.30 p.m. to enable the Appropriation Bill (No. 2), the Public Purposes Loan Bill, and the Real Property Act Amendment Bill to be considered.

Motion carried.

The Chairman having resumed the Chair:

The Hon. N. K. FOSTER: I wish to ask the Minister of Local Government, representing the Chief Secretary, who has within his portfolio correctional services, what sum of money was involved with the necessity of the security of people who have appeared before the courts and, as a result of the courts, have been ordered a term of imprisonment, and with particular emphasis on the area where there has been an expenditure of money to ensure that people who have escaped from the gaol, the sum of money as a result of people having escaped from gaol and institutions—

The Hon. L. H. Davis: You are going to have to trade in your gramophone record.

The Hon. N. K. FOSTER: I do not care if you want to sit here until midnight. What expenditure has been incurred in:

(1) the apprehension and return to prisons of individuals;

(2) the money and cost incurred in an attempt to apprehend and return them to the prisons of this State to carry out the functions that the court imposed on certain individuals?

The CHAIRMAN: Before we proceed, I would like to check whether that is not exactly the same question as we dealt with a moment ago.

The Hon. C. M. HILL: I have not that information at my fingertips.

The Hon. N. K. FOSTER: Whilst I am out of order on my feet, it will be tested in the public interest. It is no reflection on you, Sir. I apologise for putting you in the position, but the vehicle for it was the Committee. With

respect to you, as Chairman, I regret what happened this evening, but you inherited a disgraceful decision.

The CHAIRMAN: Order! My decision was not influenced by anyone. I ruled the honourable member's question out of order.

The Hon. N. K. FOSTER: Fair enough.

Members interjecting:

The Hon. N. K. FOSTER: Don't you start—

The CHAIRMAN: Order! The honourable member is not going to take over.

The Hon. N. K. FOSTER: What is the proposed expenditure within the area of correctional services and other areas involving the Chief Secretary which are the result of investigations into matters of correctional services in the area of security? What I am asking is whether there can be items in terms of the matters now before the Council, namely, the sum that the public has been required to pay for the detention of prisoners in areas of security.

The Hon. C. M. HILL: I will refer that question to my colleague and see whether it is possible for me to bring back a reply.

The Hon. N. K. FOSTER: Will the Minister confer with his colleague in respect of the cost of the Royal Commission, and will he request the Chief Secretary, in respect of correctional services, whether or not he will consider questions from this House to be relevant to the position which now exists in the correctional institutions of this State that are the subject matters of a Royal Commission which has been publicly announced?

The Hon. C. M. HILL: I will discuss that matter with my colleague and see whether it is possible to bring down a reply.

The Hon. N. K. FOSTER: Did I understand the Minister to say that he would fetch down a reply?

Honourable members: No.

The Hon. N. K. FOSTER: That he would discuss the matter with his colleague and bring down a reply?

The Hon. C. M. HILL: I said I would refer the matter to my colleague and see whether it was possible to bring down a reply.

The Hon. N. K. FOSTER: That will do me nicely.

Schedule passed.

Title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION BILL

Returned from the House of Assembly without amendment.

HOLIDAYS ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

LOANS TO PRODUCERS ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

APPRAISERS ACT AND AUCTIONEERS ACT REPEAL BILL

Returned from the House of Assembly without amendment.

CRIMES (OFFENCES AT SEA) ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

PUBLIC PURPOSES LOAN BILL

In Committee.

(Continued from 29 October. Page 1572.)

Remaining clauses (2 to 11), first schedule, second schedule, and title passed.

Bill read a third time and passed.

REAL PROPERTY ACT AMENDMENT BILL

In Committee.

(Continued from 29 October. Page 1569.)

Clauses 2 to 4 passed.

New clause 4a—"Notice to vendor."

The Hon. C. J. SUMNER: I move:

Page 2, after line 32—Insert new clause as follows:

4a. The following section is inserted in the principal Act after section 223mc:

223mca. (1) Where—

(a) a person enters into a contract for the purchase of land on which there is a building—

(i) plans and specifications of which were approved by a council before the first day of January 1940; or

(ii) the erection of which was commenced before the first day of January 1940; and

(b) at the time of entering into the contract the purchaser intends subsequently to apply for the issue of strata titles in respect of the land and building,

this section applies to the contract.

(2) A person shall be presumed, in any legal proceedings, in the absence of proof to the contrary, to have had the intention referred to in subsection (1)(b) if within 12 months after entering into the contract he in fact applies for the issue of strata titles in respect of the land and building to which the contract relates.

(3) A person who enters, as purchaser, into a contract to which this section applies shall give notice in the prescribed manner and form to the vendor of the possible enhancement of the value of the land in consequence of the enactment of the Real Property Act Amendment Act, 1980.

(4) A contract to which this section applies is voidable at the option of the vendor (notwithstanding that the contract may have been fully performed)—

(a) until the expiration of two clear days from the service of notice under subsection (3); or

(b) until the expiration of 12 months from the date of settlement, whichever first occurs.

(5) This section shall be deemed to have come into operation on the first day of November 1980.

In the second reading debate, I mentioned the concern of the Opposition that the passage of this legislation would allow developers and others to purchase properties, particularly in the inner city area of metropolitan Adelaide, and to strata title them, and that people who are at present residents and owners of these properties might not be aware of the passage of this Bill and therefore might not be aware of the increased value that their premises

would have. It was from that concern that we considered a means of advising the property owners who would now be subject to this legislation and who could strata title their properties, that some notice should be given to them of this situation.

One way that was canvassed was for the Government to send out with the Engineering and Water Supply Department rate notices a notice informing people of the passage of this legislation. These would be people holding houses as tenants in common with other people and, because they hold them in that way, they would not have the value of the property as high as it would be if they were held as individual strata title units. It would be a task for the Government to ascertain which people were covered by this legislation and to send them a notice.

However, it was thought that the administrative difficulties involved would be considerable and, accordingly, we opted for the present amendment, which provides that a purchaser of one of these properties that now come under the legislation should give to the vendor a notice explaining that this legislation had been passed, and explaining that the property could be formed into a strata title, thereby placing on notice the potential increase in value of the property to that person. The effect of the amendment is that the notice should be given and, if it is given, then there is a two-day cooling-off period whereby the vendor can tell the purchaser that he does not wish to proceed with the sale within that two-day cooling-off period.

Alternatively, if the prescribed notice under this amendment is not given, the vendor can void the contract within 12 months of the date of settlement. It would therefore be in the interest of purchasers to give this notice. Indeed, the amendment would require it, because, two days after giving the notice, the purchaser could proceed with the settlement knowing that the vendor had been advised of the change in the law and that the value of the property could have been increased.

The philosophy behind this amendment is to help the small unit owner, particularly in the older metropolitan areas, where, as a result of the passage of this Bill, there could now be a swoop by those wishing to develop properties.

I am not necessarily opposed to the development of those properties. However, I believe that the people who own them ought to be aware that their properties will now be substantially increased in value. Unless these people are given some notice regarding this legislation, they will not be aware of it and, therefore, developers could take advantage of the situation.

In other words, I am saying that the developer will be in the position of knowing that the legislation has passed, and, having a strong bargaining potential, could take advantage of this situation. I am saying not that the development is undesirable but that those people who currently own property should get a fair price for it and not be exploited as a result of this change in the law.

I am sure that this amendment will appeal to the Australian Democrats, because I recall their advertisement during the last election campaign, where they had two big trucks, one marked "A.L.P." and the other marked "Liberal", in between which was a little man for whom they were claiming to be fighters. Indeed, the Australian Democrats were claiming to stand up for the battlers in the community. Whether or not that is true, I do not know. However, I doubt whether it is true.

Certainly, this Bill will put the Australian Democrats to the test. If they do not support this amendment, which is designed to stop exploitation by developers of the little man, we will know that the Democrats do not stand for the

small man, just as it seems (quite extraordinarily), from the vote just taken in the Council, that they do not stand for open debate and consideration of issues in Parliament.

I am sure that, if Mr. Millhouse realised the way in which the Hon. Mr. Milne voted this evening on the dissent motion that was moved this evening, he would be horrified, as Mr. Millhouse has been jumping up and down recently saying how he lost the chance to cross-examine the Chief Secretary before the Estimates Committee because of the ruling made by the Chairman of that Committee. Nevertheless, I intend to take up the matter with the member for Mitcham.

The Hon. K. T. Griffin: The big stick?

The Hon. C. J. SUMNER: I certainly intend to take up the matter with the member for Mitcham. I cannot understand where the Australian Democrats stand, as they shuffle about so much and have so many different opinions. The Hon. Mr. Milne has one idea, whereas Mr. Millhouse has another. Indeed, they seem to charge off in all directions, and there is nothing very consistent about them.

Apart from jumping all over the place on policy issues, with Mr. Millhouse doing one thing and the Hon. Mr. Milne doing something completely different in this place, the Democrats have promoted themselves as battlers for the small man, who may be exploited. This amendment will place the Hon. Mr. Milne and the Australian Democrats squarely on the line. Are they in favour of the small battler and the person who could be exploited by the change in the law? I encourage honourable members to support my amendment.

The Hon. K. L. MILNE: How I vote on this amendment will have nothing to do whatever with what the Leader has been saying. I object to his remarks, which are in bad taste. The Leader is asking people to give notice about what they will do with a property before they have bought it, and that is unreasonable. It could be the small people buying the property. They may have to bargain and they may want to make money out of it. It breaks both ways, and I will not have it at all. From my knowledge of real estate and transactions (and I have some) I believe this is an unworkable transaction. There is probably a better way of doing it. I suggested to the Leader, as he well knows, that if it were possible to simplify the proposal it may be worth discussing. As presently worded, however, it is too complicated and would put a great deal of strain on the real estate system, giving rise to much abuse.

The Hon. K. T. GRIFFIN: I am not prepared to support the amendment. I do not think it has anything to do with the question of the rights of the little people, the big people, or exploitation. The Real Property Act is not about those sorts of issues: it is about the defining of the law which affects real property. I commend the principles of ensuring that people know about the law as it affects them, but I do not believe that this proposition will do that and I do not believe that, even if it had a prospect of doing so, it would be a workable solution.

I refer to a couple of the details of the amendment, because new subclause (1) provides that, if at the time of entering into the contract the purchaser intends subsequently to apply for the issue of strata titles in respect of the land and building, that section applies to the contract. A subsequent subsection provides that, if the particular notice has not been given at the time of signing the contract or within two days thereafter, then if at any time within the next 12 months after purchase there is an application for issue of strata titles, the person who is then the proprietor is deemed to have had the intention at the date of purchase.

It is a ridiculous proposition that a person, who either

advertently or inadvertently does not give the notice provided under subsection (4) and who subsequently changes his intention and decides to apply for strata titles, can then put the whole transaction at risk. The consequences of that is that the contract is voidable at the option of the vendor. What happens if the purchaser bought these units and then within 12 months sold them, the titles are transferred and then the subsequent vendor decides to apply for strata titles? We would have a very difficult situation involving a very real conflict with the real principle of indefeasibility of titles.

The next point which somewhat puzzles me is in relation to subsection (5), where the provision is deemed to come into operation on 1 November 1980, even though the Bill has not yet passed this Council or another place.

The majority of contracts which are signed for sale and purchase of real property are settled within one month of entering into that contract, so it is quite conceivable that, even though this Bill has not yet passed and is not yet assented to, it will prejudice persons who have entered into contracts, say, now and who settle them before the time when the Act gets assent. That is the position for those vendors and, more particularly, purchasers, and in my view this Bill should not be approved by this Council. However commendable the objective, I do not believe that either this procedure or the one to which the honourable member referred (that is, sending out a notice with Engineering & Water Supply Department rate notices) will achieve the objective of notifying people of their rights. Even if they are notified, there is no assurance that they will appreciate the significance of the proposal. I prefer to make this change in legislation known widely through the media and through as many other publicity avenues as possible, rather than becoming involved in a substantial administrative burden, which is likely to be an ineffective one at that.

The Hon. C. J. SUMNER: I am disappointed with the Attorney's attitude, and I am very disappointed with the Hon. Mr. Milne. He will not look too good standing between those two big trucks on his next election poster. If the Attorney feels, for some reason, that this is too complicated or that there are some problems with it but does agree with the principle (and I think that he did concede that people ought to be aware of their rights and ought to be aware of changes in the law that affect them, in this case affecting them with respect to monetary gain or otherwise, whether or not they are going to get proper value for their properties), would he be prepared to consider another method of notifying people, either by some kind of common advertisement in the daily press, or, indeed, in the Messenger Press, which is distributed widely throughout the metropolitan area?

In other words, there is no question that the passage of this legislation will affect property values in some areas. There is no question that by the passage of this Bill we are affecting the economic potential, economic gain or economic situation of people who live particularly, as I said, in the inner-metropolitan area and who may have lived in that area for many years.

They could now be subjected to exploitation by developers who buy these properties, strata title them and make a profit from them. I am not objecting to development, but I believe that, as soon as we pass this legislation, the value of these properties will be different. That is all right if we know that the people who live in these places know that the legislation is different, and we cannot be sure of that unless they know of this increase in value and are therefore in a position to argue on an equal basis with a developer who knows the position. I think it is a serious point.

There is no question that by the passage of this legislation we are affecting property values. I therefore think that people who own these properties ought to be in a position to defend themselves from exploitive actions on their properties by developers. If the Attorney feels that this is too difficult and that the problem is too complicated, I put to him that there ought to be some other method of notifying these people. The Hon. Mr. Milne said that he would support the Bill if it were simpler. That is all very well for him, but he has not come up with any proposition as to how it could be simplified. He has not discussed the matter with Parliamentary Counsel, as I have, and this is what Parliamentary Counsel has suggested. What he is doing, in typical Democrat fashion, is having two bob each way.

The Hon. R. C. DeGaris: Don't you think that, if the principle behind the amendment were applied to every change in the law, it would cause a very difficult situation once this sort of principle was established?

The Hon. C. J. SUMNER: If it were applied to every change in the law, it would, but I think this particular situation is unique. Now we have a whole group of units, home properties, that have a certain value because they are held in a certain way by the proprietor. As soon as this Bill is passed there will be an increase in the value of those properties, but the owners of them may not be aware of that. That is the principle—we are changing the value of properties.

The Hon. J. C. Burdett: You tell them.

The Hon. C. J. SUMNER: The Minister says, "You tell them", and I am pleased that he said that. I now ask the Attorney whether the Government intends to tell these people.

The Hon. R. J. Ritson: By means of press coverage, which has already been mentioned.

The Hon. C. J. SUMNER: It can be by press coverage, but there is no guarantee that the press will publish the change. The only way of ensuring it is by some kind of paid contribution by the Government for advertisements, or something of that kind. I accept that we might want wide press coverage, but it cannot be guaranteed. So, I am merely asking the Attorney whether he is prepared to take some other action?

The Hon. K. T. GRIFFIN: I am prepared to consider the alternatives to which the Leader has referred. I cannot give an undertaking that there will in fact be those sorts of advertisements. I will need to take some advice on the matter, but I am certainly prepared to consider it if it is feasible and likely to have the result of informing people of this change.

The Hon. R. C. DeGaris: You cannot guarantee there would be a rise in values?

The Hon. K. T. GRIFFIN: No, I cannot guarantee that at all. However, I am certainly prepared to give some consideration to the matter.

The Hon. R. J. RITSON: I wish to make the world's shortest Parliamentary speech. Having heard the Attorney-General's arguments, I think the Hon. Mr. Milne has an opportunity of taking part in a marvellous act of deregulation by voting against this amendment.

The Hon. C. J. SUMNER: I suppose we should have asked about that in the debate on the Budget Estimates. No doubt it requires some considerable expenditure to maintain the administration of deregulation. I am cheered to some extent by the Attorney's undertaking that he will consider this matter. I would have felt much happier if he had given an undertaking to ensure that people were informed about this change in the law. I am wondering whether he will go one step further, even though I intend to persist with my amendment. However, I am realistic enough to know that on this occasion the Hon. Mr. Milne is squibbing out, and during the division, unless someone is asleep, we will probably lose the vote. I am wondering whether I can prevail upon the Attorney to say whether or not he will advise the Council of the results of his consideration.

The Hon. K. T. GRIFFIN: I am happy to advise the Council of that.

The Committee divided on the new clause:

Ayes (10)—The Hons. Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, C. J. Sumner (teller), and Barbara Wiese.

Noes (11)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, K. T. Griffin (teller), C. M. Hill, D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Majority of 1 for the Noes.

New clause thus negatived.

Remaining clauses (5 and 6) and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 7.5 p.m. the Council adjourned until Tuesday 4 November at 2.15 p.m.