LEGISLATIVE COUNCIL

Wednesday 22 July 1981

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

QUESTIONS

SOUTH AUSTRALIAN INVESTMENT

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Attorney-General, as Leader of the Government in the Council, a question regarding investment in South Australia.

Leave granted.

The Hon. C. J. SUMNER: On 15 June, in the South Australian Industrial Commission, Mr Bleby, who was appearing for various employer interests including the Chamber of Commerce and Industry and the South Australian Employers Federation Incorporated, called as an expert witness a Dr J. B. Donovan, a leading national economist from W. D. Scott and Company of Sydney. Mr Felmingham, for the United Trades and Labor Council, referred Dr Donovan to investment claims by the Premier. On page 506 of the transcript the following appears:

Q. Mr Felmingham: I would like to quote one or two things that the Premier said when he was in London recently. I take it from the *Advertiser* of Thursday 26 March 1981. It is a report of an address given by the Premier to a resources development symposium held at Grosvenor House Hotel in London. He said that 'in the past year investment in South Australia had increased to $1 180 million or about $900 per head of population'. Is that consistent with your view?

A. Dr Donovan: It all depends what he means by 'investment in South Australia'. Does he mean foreign capital being invested in South Australia or what? If it is that sort of thing, then it could be because it's a small component of a large total, it could be growing while the total is falling. If, however, he means investment in general. then I don't know of the source of information of investment expenditure by States. I'm subject to correction. I don't think there is any.

Mr Bleby (for the employers): I think with respect this witness is being put in a difficult position, a quotation out of context from a newspaper report. My instructions are that the figure mentioned by the Premier was related to investment intention, not actual investment at all. I would ask my friend to put it straight if that in fact is the position.

His Honour Mr Justice Olsson: I thought frankly that that was the position we ended up in as a result of the last witness (from Department of Trade and Industry), along with a few other statements emanating from State Government publications which leave a bit to be desired as to their essential accuracy.

I therefore ask the Attorney-General what action the Government will take to place on record for the first time accurate and meaningful information about investment in South Australia.

The Hon. K. T. GRIFFIN: There is accurate and meaningful information on the publicity received in relation to investment in South Australia, projected investment and promised investment. In fact, one aspect of that was dealt with by the Deputy Premier in another place on 2 June 1981, when he listed the many businesses which since January this year had either indicated that they were going to expand or open in South Australia for the first time or were already in the process of doing so. Since January, I think a list covering nearly three-quarters of a page of those businesses—

The Hon. C. J. Sumner: They're not accurate.

The Hon. K. T. GRIFFIN: They are accurate. On 2 June the Deputy Premier, in another place, made a statement in that respect, and it is quite accurate and on the public record. If the Leader of the Opposition is so anxious to have this confirmed once again, I will obtain the information in great detail and arrange to have it available in the Council.

COMMONWEALTH-STATE FINANCES

The Hon. B. A. CHATTERTON: I seek leave to make an explanation before asking the Attorney-General a question about Commonwealth-State finances.

Leave granted.

The Hon. B. A. CHATTERTON: I understand that at the last Premiers' Conference the Federal Government decided to convert all of the special purpose grants that were available to the States to a one-off increase in their general grant. I understand that South Australia obtained about $7 200 000 from its share of the special purpose grants that were previously made available to the States. Has the State Government made any decision whether this money, which was previously available to various departments under special purpose grants from the Commonwealth, will automatically be used in the same way that it was used previously, or will it in fact go into general revenue? Will the departments concerned have to justify their programmes, like any other programmes within those departments, before the so-called 'razor gang', of which I believe the Attorney-General is a member?

The Hon. K. T. GRIFFIN: It was the Premiers' Conference before last at which decisions were announced by the Commonwealth regarding grants to the States. I will obtain the details from the Treasurer and bring down a reply.

INDUSTRIAL COURT TRANSCRIPT

The Hon. N. K. FOSTER: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Industrial Affairs, a question about Industrial Court transcripts.

Leave granted.

The Hon. N. K. FOSTER: To be more specific, my question relates to the transcript of the recent wage case in which the South Australian Government saw fit to conduct a very expensive, long and drawn-out case in an attempt to deny workers less than a 1 per cent flow on. From memory, the Government agreed to a figure of about .8 or .9 per cent of the unions' claim. During the course of the hearing before the Full Bench of the Industrial Court, it became necessary for the court to sit late into the night, something almost unheard of for that court.

The Hon. L. H. Davis: You must have been there.

The Hon. N. K. FOSTER: It was one of the longest cases presented before the Industrial Court for many a long day. It was also one of the most well presented cases by the trade union movement that I have heard for some time. For the Hon. Mr Davis's benefit, I did attend the court; those matters tend to interest me more than they might interest the Hon. Mr Davis. I realise that the transcript from these proceedings runs to over 1 200 pages. Further, the Government at its most senior level has made a number of public statements about its financial difficulties, having been unable to foresee certain wage increases that were rightly granted to workers.

I also realise that a number of witnesses were called, and they have been referred to by the Leader of the Opposition in this Chamber. I think it would be remiss of me to direct this question to you, Mr President, as Chairman of the Library Committee. However, as the Estimates Committees will soon be under way, it is absolutely essential that we have available a copy of the transcript for members of both Houses of Parliament.

It is just not good enough to have a copy of the judgment, and for this reason I wish to acquaint the Council with the fact that I wrote to the Minister of Industrial Affairs about this matter on 1 June, requesting that a copy of the transcript be made available in the Parliamentary Library. I received an acknowledgement from a member of the Minister's staff, and later I received an almost insulting letter from the Minister himself, who told me that the transcript was available for me or any other member to read *in situ* in his department.

The Hon. D. H. Laidlaw: What's insulting about that?

The Hon. N. K. FOSTER: I will come to that. The arrangements that one could make with the department are most inconvenient. I found on two days this week that the only convenient time available to me to attend the department was between 9 p.m. and the early hours of the morning. I told that to the person conveying the information to me on behalf of the Minister.

I am sorry that I must take up so much time of the Council on this matter. The Minister's staff then referred me to the fourth floor of I.M.F.C. building in my search for a copy of the transcript. I have the greatest respect for the Industrial Court in this State and its judges; I have had much to do with it in the past. In the last half hour I have had a conversation with the Industrial Registrar, who can make a copy of the transcript, in part, available to me. However, the only way it can be made available to members of the Parliament is if I get that copy, bring it down here and ask the Chief Librarian to photostat it, and then fill in the missing parts. This is totally wrong and unreasonable. It is an imposition on members of this Council as well as being a direct restriction.

First, what is the cost to the State of calling witnesses from interstate? Secondly, what was the total cost of accommodation and appearance fees in respect of interstate witnesses called by the Government? Thirdly, what was the cost to the Government through a number of departments in regard to other witnesses who were called? Fourthly, is the Minister withholding the transcript from Parliament, or will he make available to Parliament a copy of the transcript, even though the Minister may be embarrassed by some of the remarks made and evidence given by witnesses he has called? Fifthly, will those members of the Library Committee in this Council use every effort possible to accord the members of this place a transcript of the whole of the proceedings in the Industrial Court? The Attorney-General has just said he would get the information.

The Hon. J. C. BURDETT: Copies of judgments of any court are not usually available to other than the parties until the judgments are published in the relevant law reports, and transcripts of evidence are usually not made available at all. Nonetheless, I will refer the question to my colleague and bring back a reply.

HOSPITAL COMPUTERS

The Hon. J. R. CORNWALL: I seek leave to make a brief statement prior to directing a question to the Minister of Community Welfare, representing the Minister of Health, regarding hospital computers.

Leave granted.

The Hon. R. C. DeGaris: You won't make the front page this time.

The Hon. J. R. CORNWALL: You never know.

The Hon. R. J. Ritson: I heard you got it all wrong.

The Hon. J. R. CORNWALL: I got it all right.

The PRESIDENT: Order!

The Hon. J. R. CORNWALL: Yesterday it was my sorry duty to relate to the Council a small part of the great administrative bungling going on regarding hospital computers. I reminded the Council that on 4 December last year the Minister announced that an A.T.S. system would be installed and would cater for 2 000 beds. It would be installed at minimum cost, the figure mentioned being between $180 000 and $260 000 a year, and there was absolutely no risk that there could be any problems with it.

I also told the Council, as you will recall, Mr President, that Dr Britton, Superintendent of the Royal Adelaide Hospital, and Mr Blight were touring the world looking at A.T.S. computers and that I.B.M. and Burroughs had been invited to assist with the matter of installing an A.T.S. computer similar, if not identical, to the one at the Royal Prince Alfred Hospital in Sydney, although neither of those firms had been responsible for the installation or working of that computer. Dr Britton, of course, is very keen on having an A.T.S. computer at the Royal Adelaide Hospital.

This morning I received a telephone call from someone who is very close to the A.D.P. section of the Health Commission, and that person informed me that the commission currently has a consultant undertaking a study of the whole question of hospital computers. This is the third chapter in the ongoing saga.

The consultant has not yet made any firm recommendations, so obviously these many trips to Sydney, the United States, or anywhere else are pre-empting the report. Last week the consultant addressed the staff of the A.D.P. centre of the Health Commission. I am told he was quite adamant that the large A.T.S. computer which had been proposed by Dr Britton and Mr Blight and which they are overseas looking at at this moment would be unsuitable and undesirable for the Royal Adelaide Hospital, and he said quite clearly at that gathering that plans for the A.T.S. system should not proceed.

Further, he said that a combination of manual systems and mini-computers would be far more efficient. He said they could be installed over a four-year period. It was unlikely that there would be any major problems but, in the event that any small bugs did occur with such a system, they could be rectified at absolute minimum cost. It would be virtually foolproof. Furthermore, this system would be installed at less than a quarter of the cost of the proposed A.T.S. computer. Does the Minister intend to proceed with the purchase of the proposed large A.T.S. computer for the Royal Adelaide Hospital, or does she intend to take the advice of the commission's consultants and install mini-computers over a four-year period? Further, in the circumstances, does she agree that the overseas trip to investigate A.T.S. computers was an incredible administrative bungle?

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

REINSTATEMENTS

The Hon. G. L. BRUCE: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Industrial Affairs, a question about reinstatements.

Leave granted.

The Hon. G. L. BRUCE: In the *Advertiser* of Tuesday 21 July an article headed 'Judge queries legislation on job dismissals' states, in part:

South Australian legislation governing the kind of orders that may be made by the Industrial Court in dismissal cases was criticised yesterday by Judge Layton. She was giving judgment in

a partly successful appeal by Gregory's Superstores Pty Ltd against an industrial magistrate's decision in February that the company reinstate three employees whose dismissal had been 'harsh, unjust or unreasonable.'

Judge Layton upheld the magistrate's finding in respect to the dismissal of Mrs Con Zervas and maintained the order for her re-employment. But in the case of the other two employees, while upholding the magistrate's view that they had been dismissed contrary to the re-employment provisions of the S.A. Industrial Conciliation and Arbitration Act, she ruled that their re-employment would be 'inappropriate'.

Judge Layton said that because she was making no order for re-employment—which she considered 'inappropriate'—she was unable to make any orders for arrears of wages to the two men. 'This situation is most unfortunate and highlights the need for alternative remedies to be available in the legislation,' she said. 'The dismissals of these two employees were contrary to the Act but in spite of that fact I am unable to make any order for monetary recompense in the absence of making an order for re-employment.'

I wish to record this dissatisfaction in this judgment as these two respondents have for their efforts only received a token for their trouble, namely, a determination that their dismissals were contrary to the Act, without any further relief or remedy.' Judge Layton said in her judgment that there were a number of aspects of Pappas's dismissal on 28 April 1980 which made his dismissal not only unreasonable but also harsh and unjust.

It goes on to detail the terms of the particular cases. In light of the above statement from Judge Layton and of my own knowledge of the limitations of this aspect of industrial legislation on reinstatements, will the Minister give an assurance that his Government will, as a matter of urgency, have this part of the industrial legislation reviewed so that more flexibility and justice are available to those people such as stated in the above cases who have the misfortune to have to use the courts to obtain justice in their dismissals from jobs?

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

CORPORAL PUNISHMENT

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Minister of Local Government, representing the Minister of Education, a question about corporal punishment in schools.

Leave granted.

The Hon. ANNE LEVY: I have asked a series of questions regarding corporal punishment in schools, the last on 18 February this year, to which I received a reply on 5 March. There is one aspect of the questions I have asked which has never been answered in any of the replies that I have received; hence my question today. I know that regulation 123 (3) under the Education Act is currently in force, this being the regulation that determines that the Minister of Education can lay down conditions for corporal punishment in schools. However, no such conditions exist at present, that regulation having been introduced in September 1980 but rescinded in October 1980 and not replaced.

There is a policy statement in the Administrative Instructions and Guidelines booklet which is put out by the Education Department for Government schools in this State. It offers advice to principals regarding how and when corporal punishment can be administered in schools, and also advises principals of their legal position and states that records must be kept of each case of corporal punishment in our schools.

However, this policy statement is quite silent on what attitude a principal shall take if a parent specifically requests that corporal punishment should not be used on his or her child. I certainly know of parents who object to corporal punishment being used on their children and who wish to make such a request to the school that their child attends.

I therefore ask the Minister, first, what advice he would give to a principal when a parent requested that corporal punishment not be used on his or her child. Secondly, will the Minister inform school principals that they should not permit corporal punishment to be administered to children whose parents make such a request, although other forms of discipline may, of course, be used?

The Hon. C. M. HILL: I will refer those questions to my colleague and bring back a reply.

SHARE DEALINGS

The Hon. FRANK BLEVINS: I seek leave to make a brief explanation before asking the Attorney-General a question regarding share dealings.

Leave granted.

The Hon. FRANK BLEVINS: On 27 May, the Attorney-General announced an inquiry by Mr J. W. Von Doussa into the circumstances surrounding dealings in Elders-G.M. shares. One of the terms of reference of that committee was whether there were any dealings in securities of Elders-G.M. by A. G. Goode and Co. Nominees Pty Ltd of Melbourne or any associate of this company. I understand a member of this Council, the Hon. Legh Davis, is connected with that firm.

First, will the Attorney-General advise whether the Hon. Mr Davis is connected with the firm of A. G. Goode and Co. Nominees? Secondly, was the Hon. Mr Davis involved in the share transactions surrounding the Elders dispute? Finally, will the investigation ordered by the Attorney-General cover any activities of Mr Davis in this matter?

The Hon. K. T. GRIFFIN: I have no idea whether or not Mr Davis was in any way directly or indirectly involved. I have previously indicated that I have not on any occasion discussed the matter with the honourable member. Regarding the investigation by Mr Von Doussa, I would expect that in due course he will present a report to me. At that point, I will know the extent and names of persons that he has investigated.

CALL AID FOR AGED

The Hon. C. W. CREEDON: I seek leave to make a brief statement before asking the Minister of Community Welfare a question regarding emergency call aids for the aged. If the question relates to the health portfolio, I should be pleased if the Minister would refer it to the Minister of Health.

Leave granted.

The Hon. C. W. CREEDON: Like all honourable members, I recently received a letter the heading of which was 'Vitalcall' and which emanated from 116 Greenhill Road, Unley. The letter advocates a personal computerised alert system, and it is claimed that it is a step forward in emergency care for the house-bound, aged or sick. It continues:

An Australian invention, this alert system came on to the market last August, and has been sought after by hundreds of South Australians, many of whom cannot afford it. Vitalcall is nationally represented, and is designed for the solitary aged and infirm who wish to remain at home rather than be institutionalised, when it may not be necessary, and it provides them with a fail-safe method of summoning help in an emergency. The enclosed brochure is quite comprehensively descriptive.

I must admit that there was no such brochure with the letter that I received. The letter continues:

The Vitalcall service system is charged at approximately $10 per week rather than selling to individuals expensive equipment that may only be required for short terms depending upon state of health and other factors.

I must admit that this would not have to be very exceptional to be better than some of the alert procedures that have been advocated over the years. I can remember the cry that every frail or aged person should have the telephone connected. Another signal that I recall was the light in the window. These lights depended on the persons having them at their disposal being able to reach the lights. There have been many cases where a person in need of help has not been able to reach the alert aids and has, consequently, had to suffer until found by a neighbour or relative.

Is the Minister aware of this alert aid, and does he believe that it could be useful and more effective than previous alert aids? Also, as the aid is fairly expensive to the individual, can the Minister offer suggestions regarding how it could be made available to those in need of it on a low-cost or a no-cost basis?

The Hon. J. C. BURDETT: As the honourable member anticipated might be the case, responsibility for the aged sick does rest with the Minister of Health. I will therefore consult with her and bring back a reply.

MOCATTA PLACE YOUTH HOSTEL

The Hon. BARBARA WIESE: I seek leave to make an explanation before asking the Minister of Community Welfare a question regarding the Mocatta Place youth hostel.

Leave granted.

The Hon. BARBARA WIESE: The Minister will recall that on 17 February 1981 I asked him a question concerning the closure of this hostel, which at that time was known as the Nidlandi Hostel. The Minister advised that the organisation that then operated the hostel, Nidlandi Hostels Incorporated, had written to him saying that it would be closed because of internal difficulties that they had experienced in administering the hostel.

At that time, the Minister was not prepared to say what those difficulties were, but added that they related in no way to the Department for Community Welfare. Since then, I have received information from a person who was associated with the hostel at that time and who alleges that, before the withdrawal of Nidlandi Hostels Incorporated, there were a number of incidents of maltreatment of boys who were accommodated there, and also that hostel funds, some of which were provided by the Department for Community Welfare, were misappropriated by officers employed by the organisation operating the hostel.

First, is the Minister aware of allegations concerning maltreatment of boys housed at Nidlandi Hostel before the withdrawal of Nidlandi Hostels Incorporated? Secondly, is the Minister aware of allegations concerning misappropriation of hostel funds? Thirdly, can he say whether investigations were carried out in relation to these matters by officers of this department? Fourthly, if so, what were the results of those investigations?

Fifthly, will the Minister state what criteria are employed by the department in determining whether voluntary agencies of this kind are fit and proper agencies to receive support and financial assistance from his department? Finally, is the Minister satisfied that the current management of the hostel, which I understand is under the control of the Offenders Aid and Rehabilitation Services Incorporated, is responsible and beyond reproach in relation to its capacity for efficiently running the hostel?

The Hon. J. C. BURDETT: I am aware of allegations of maltreatment and also of misappropriation of Department for Community Welfare funds. I will advise the honourable member in the Council of the outcome of the investigations. I do not think that those investigations have been concluded. I undertake to inform the honourable member of the outcome of the investigations and bring down a reply to her other question.

BARMERA PRIMARY SCHOOL

The Hon. J. A. CARNIE: My question is directed to the Minister of Local Government, representing the Minister of Education. When is it expected that the new Barmera Primary School will be completed and in use, and what will be done with the land and buildings of the present Barmera Primary School?

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

FOREIGN OWNERSHIP

The Hon. J. E. DUNFORD: I seek leave to make a brief explanation before asking the Attorney-General, representing the Premier, a question about foreign ownership of Australia.

Leave granted.

The Hon. J. E. DUNFORD: I will be speaking on this matter at length tomorrow in the Address in Reply debate so I will make my question fairly brief, just as you usually desire, Mr President. I read in the *Weekend Australian* of 11 December an article headed, 'Labor outcry over $200 000 000 land sales to foreigners'. At the present time it seems to me that the Labor Party is the only Party in Australia concerned about the takeover not only of industry but also of land. The article states:

Europeans, Americans, Arabs, and Asians have bought almost $200 000 000 worth of Australian land in the past five years.

That was according to the Labor spokesman on rural and provincial development, Senator Button. The article continues:

'Their buying goes on unchecked by the Federal Government while its full extent and its implications remain unknown,' he said.

Senator Button said in five years the Foreign Investment Review Board approved 353 purchases of farming properties.

This involved 14 million hectares of land—about 35 million acres—and an investment of $192 000 000.

'Last year, 114 properties were sold to foreigners, covering 725 000 hectares and cost $70 000 000,' he said.

Citizens of West Germany were the biggest buyers, spending $17 000 000 on 27 properties, extending over 57 000 hectares.

The Foreign Investment Review Board admitted that its figures did not show the full extent of foreign ownership of land.

I believe that the Federal Government, which talks of open government, should at least be able to keep the people of Australia informed about what is going on in our country. Like every other member on this side of the Chamber I am concerned about people now having to leave their homes in this State. That fact is borne out in the newspapers, and people will tell you personally that it is because of the high interest rates. Once again, I will be talking about that tomorrow.

Since the Liberal Government came into office in this State and the Federal Liberal Government of the last five years, we find that, with the resources boom that Mr Tonkin is pushing here, people in South Australia, and people throughout Australia generally, will wind up living in the Simpson Desert, because that is the only place they will be entitled to. This is a very serious question. I was pleased to see in the last *Weekend Australian* that an Australian Democrat has brought this to the notice of the public. At the present time my main concern is with the foreign

ownership of land, property and business throughout the whole of Australia, but, being an elected member in this State, I direct my question to the Premier about South Australia. Will the Premier advise the Council to what extent businesses, land, property, and so on has been purchased by foreigners or foreign business enterprises in South Australia since September 1979?

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

PETROL PRICES

The Hon. C. J. SUMNER: Did the Minister of Consumer Affairs say in the *News* of Thursday 25 June (the day the Premier was pressuring oil companies to reduce the price of petrol by 3 cents):

> The price of any product is best determined on the open market. The Government intervenes only if market forces indicate there is cut-throat, selective discounting.

According to the *News*, 'Consumer Affairs Minister, John Burdett, is explaining that he believes South Australians are paying the right price for their petrol'. Later, in the same article, Mr Burdett is quoted as follows:

> We see no present cause for the Government to intervene in petrol pricing in this State.

Why did the Minister responsible not know that on that very day, or possibly the day before, the Premier was pressuring the oil companies, and in particular Shell, to reduce the price by 3 cents, which subsequently occurred? If the Minister did make those statements to the *News*, how is it consistent with open market philosophy for the Premier to pressure the oil companies, and particularly Shell, to bring down the price and subsequently to introduce price control?

The Hon. J. C. BURDETT: The term 'pressure' can be interpreted in any way. I cannot recall whether I made that exact statement. I would not deny it, because I did make a statement which was something of that kind. That is my philosophy just as it is the Governments and the Premier's. I was well aware that there were talks with the Shell Company, and in fact I was present at those talks.

The Hon. C. J. Sumner: Why did you make that silly statement?

The Hon. J. C. BURDETT: It is not a silly statement at all. It was not a question of pressure; it was a question of talks. The talks were held. Price control, which subsequently occurred, did so because the Australian motorist was threatened with the closure of supplies, and the Government was not prepared to tolerate that. It is silly, as the honourable member has interjected contrary to Standing Orders, to say that we should have known that, because the Automobile Chamber of Commerce did not know until the meeting on Sunday. The executives of the Automobile Chamber told me that they were very surprised when that particular step was taken. This Government has consistently taken the stand that normally prices can best be achieved in a free market situation. This Government has said that very often, and everyone knows that. The last thing that we wanted to do was reimpose price control.

We offered the Automobile Chamber alternatives, including the alternatives suggested to us by the executive, that the Government should convene and chair a meeting between the Chamber, the oil companies and other interested parties, including consumers. We suggested that the R.A.A. and the Consumers Association should be present, but those two bodies were never contacted because it did not get that far. That was on the Monday when price control was eventually imposed. We suggested that to the Chamber as a solution, provided that the meeting was held with the usual conditions in cases such as this, namely, that the picket lines be called off and that the closures do not go ahead. That was not acceptable, and, because we were not prepared to subject the South Australian motoring public to closure of supplies, we took action. We made it clear at every stage in this issue that the Government prefers not to be involved in matters such as this, which are essentially industry problems, if it can possibly be avoided.

The Hon. C. J. Sumner: Why did you approach the oil companies?

The Hon. J. C. BURDETT: We felt it had to come to the stage where that could not be avoided without causing harm to the public. That was why we took the action we took.

The Hon. C. J. SUMNER: I desire to ask a supplementary question. Did the Premier suggest to the Shell Company that it should reduce its prices by three cents a litre in the discussions? If that is so, how is that suggestion (call it what you like, but I call it pressure) consistent with a free market philosophy? Why is it free market philosophy for the Premier to informally pressure the oil companies when it is not free market philosophy to impose honestly and openly such price control?

The Hon. J. C. BURDETT: I repeat that I was present at the meeting with the Shell Company—

The Hon. C. J. Sumner: Did the Premier request a reduction in the price?

The Hon. J. C. BURDETT: It was a question of a discussion. The Leader will remember that there had been a campaign in the press and there had been expressions of dissatisfaction by consumers (motorists) about the differential in price between South Australia and the Eastern States in particular; in fact, with the rest of the Commonwealth. Of course those matters were discussed.

The Hon. C. J. SUMNER: Will the Minister answer the question? Did the Premier request the Shell Company to reduce the price of petrol in this State by three cents a litre in the discussions which occurred before the Shell Company reduced its prices?

The Hon. J. C. BURDETT: There was general discussion along the lines that I have indicated.

LETTERS OF INTRODUCTION

The Hon. B. A. CHATTERTON: I seek leave to make a short explanation before asking the Attorney-General a question about letters of introduction.

Leave granted.

The Hon. B. A. CHATTERTON: The previous Labor Government had a policy that the Premier would provide members of any Party in Parliament with letters of introduction when they travelled overseas. In fact, I think the Premier also provided such letters to any citizen of the State who was vouched for by a member of Parliament. Is the present Government continuing this policy and assisting members of Parliament who travel overseas by providing letters of introduction?

The Hon. K. T. GRIFFIN: I will refer that question to the Premier and bring down a reply.

CONSCIENCE VOTES

The Hon. G. L. BRUCE: I seek leave to make a brief statement before asking the Attorney-General a question about conscience votes.

Leave granted.

The Hon. G. L. BRUCE: Last week while travelling in the car I heard a news broadcast on the radio stating that the casino issue would be raised in Parliament and that both the Leader of the Opposition (Mr Bannon) and the Premier (Hon. D. O. Tonkin) had indicated that the matter would be the subject of a conscience vote by members of their Parties. However, if all votes by members of the Government are conscience votes anyway, how can there be then a conscience vote for Government members? Can the Attorney-General explain to the Council how the Government's voting system works on this matter?

The Hon. K. T. GRIFFIN: We know that on the Opposition side of the Council there is no freedom for any member to do as he or she wishes according to the dictates of conscience—

The Hon. G. L. BRUCE: I raise a point of order, Mr President. My point of order is that I asked the Attorney what the Government did in this case. I am not worried about what the Opposition does.

The Hon. K. T. GRIFFIN: I can answer the question the way I like.

Members interjecting:

The PRESIDENT: Order! The Attorney-General.

The Hon. K. T. GRIFFIN: The Opposition is bound by its Caucus decision. Opposition members are not bound by their conscience. Caucus is told by groups who are not elected what it will do in this Council.

The Hon. C. M. Hill: Faceless men!

The Hon. K. T. GRIFFIN: Yes, it is told by faceless men. I do not know how many there are.

The Hon. N. K. FOSTER: I rise on a point of order, Mr President. The Council is entitled to some courtesy. You, Mr President, demanded it from members on this side yesterday and you got it, even from me. However, even though you are inhibited in doing anything, I take strong objection to the remarks of the Leader of the Council when he barked across the Chamber during an interchange, 'I will answer questions how I like.' The Attorney can go to hell how he likes. He gets $60 000 a year to sit there and another $20 000 to represent people outside.

The PRESIDENT: Order! I hope that the Attorney will answer the question.

The Hon. K. T. GRIFFIN: I am entitled to answer the question how I see fit. The Hon. Mr Bruce has raised an issue and I am entitled to answer it by reflecting on what the Opposition does, to highlight the difference between the Opposition and the Government Parties. The Opposition is bound by decisions on non-elected people to vote in a particular way in this Parliament. On the Liberal side, we are bound—

The Hon. N. K. Foster: So are you—don't tell lies. Send Ross Story out from your Cabinet meetings.

The PRESIDENT: Order!

The Hon. N. K. Foster interjecting:

The Hon. K. T. GRIFFIN: Mr President, I refuse to further answer the question.

MEMBER'S QUESTION

The PRESIDENT: Before proceeding further I would like to take the opportunity to answer the question that the Hon. Mr Foster asked me yesterday. I said that when I had read his question I would reply to it, but there was not time to do so during Question Time yesterday. What happened was that the honourable member asked on what ground I ruled that his last question to the Attorney-General was out of order. I did not rule on his question at all. What actually took place was that the Attorney said that the honourable member's last question was out of order and that he refused to answer it. I conceded that by way of acknowledging that the Minister had the right to answer or refuse to answer any question put to him. In fact, I did not rule on the honourable member's last question at all.

MINISTERIAL STATEMENT: HOSPITAL COMPUTERS

The Hon. J. C. BURDETT (Minister of Community Welfare): I seek leave to make a statement. I have consulted with the Attorney-General and I understand that he will seek an appropriate extension of Question Time to allow the normal time to elapse for questions.

Leave granted.

The Hon. J. C. BURDETT: Yesterday, the Opposition spokesman on health made a series of allegations about the acquisition by the Government of a hospital computer system. The statement contained many errors of fact, implications and innuendo which cannot be substantiated. The statement demonstrated a serious lack of understanding of the complexities of hospital computer systems. I will deal in turn with the matters raised but I believe it would be useful if the Council had some background to this issue.

In December 1980 the Minister of Health told members in another place that tenders had been called for a common patient information system for major teaching hospitals in South Australia. I indicated that the system should be capable of installation in South Australia in a short time and at a low cost and that it could be acquired on lease or rental for two or three years so that it could be tested. The total cost was estimated to be between $180 000 and $260 000 per annum.

The hospitals were seeking a system which could be implemented with a minimum of risk based on systems already developed and operating in organisations of a similar size. After a thorough assessment, including contact with overseas hospitals, the Health Commission believed that no response to the original call offered an acceptable low-level risk at an acceptable cost.

The reason that my colleague did not make a statement on the issue at that time was that the matter was before the Supply and Tender Board and it would have been improper for a Minister to comment publicly on tenders which had not been resolved. The fact that Dr Cornwall chose to use confidential information improperly obtained could have prejudiced the tender process. Action of this kind by members of Parliament is to be severely condemned.

The Supply and Tender Board gave approval for the commission to negotiate with computer suppliers to provide an interim patient information system. The commission's major objective was to clearly establish the cost of proceeding before committing any public money. The board's approval allowed the commission to negotiate directly with I.B.M. and Burroughs for the supply of an appropriate solution.

At the time, my colleague discussed with the Chairman of the Health Commission the desirability of making a public statement in response to Dr Cornwall's allegations. However, as the negotiations were still proceeding with the Supply and Tender Board, the decision was taken that it would be inappropriate for her to make any public announcement, I shall now return to Dr Cornwall's specific allegations.

Dr Cornwall alleged that the Medical Director of the Royal Adelaide Hospital (Dr S. Britton) recommended that the computer system at the Royal Prince Alfred Hospital in Sydney should be used. This is not so and demonstrates

Dr Cornwall's willingness to be totally unscrupulous in making false allegations.

The Hon. C. J. SUMNER: I rise on a point of order. I ask the Minister to withdraw that last sentence and apologise to the Council. It is clearly a reflection on the member in accordance with Standing Order 193. This matter has been raised in another place, and the question of the use of Ministerial statements for this gratuitous sort of attack on members has been frowned on.

The PRESIDENT: The Minister has been asked to withdraw a certain statement that he made.

The Hon. J. C. BURDETT: I do not believe that the language was unparliamentary, and I believe it was called for in the nature of the statements made by the Hon. Dr Cornwall, but I am prepared to withdraw it.

The Hon. J. R. Cornwall: That's not a withdrawal at all.

The PRESIDENT: The Minister may proceed.

The Hon. J. R. CORNWALL: I rise on a point of order. Are you accepting that?

The PRESIDENT: Yes, indeed. The Minister did withdraw.

The Hon. J. R. CORNWALL: In a very highly qualified way. You allowed him to cast a tremendous reflection on me in the worst possible way.

The PRESIDENT: The Hon. Dr Cornwall yesterday put his case in such a way that perhaps he should take some notice of the explanation being made today and, if he wishes to ask further questions or to make a statement, he will have the opportunity.

The Hon. J. R. CORNWALL: That is ignoring the matter completely. The objection was taken to the words, for goodness sake.

The PRESIDENT: The Minister withdrew.

The Hon. J. R. CORNWALL: He hasn't withdrawn in an unqualified manner and I am asking for some protection from you. I am asking you to do your duty.

The Hon. Anne Levy: He didn't apologise. The Hon. Mr Dawkins always insists that we withdraw and apologise.

The Hon. M. B. Dawkins: I don't always get it.

The PRESIDENT: The Hon. Dr Cornwall has asked whether that was a withdrawal and I believe it was pretty well in line with most of the withdrawals made in this Council. Leave was granted for the statement, and I believe—

The Hon. J. R. CORNWALL: You are showing extreme partiality in this matter, and I object in the strongest possible terms.

The PRESIDENT: I object to your taking over and accusing me of being partial.

The Hon. J. R. CORNWALL: I am asking for a little protection, which I deserve as a member of this Council. I am sick to death of the Government's attacking me in both Houses when I raise matters that acutely embarrass it.

The PRESIDENT: If the honourable member does not resume his seat and allow the Minister to proceed with his statement, I will name him.

The Hon. J. R. CORNWALL: That will be your decision entirely. I am making the very strongest objection. I do not believe you have done your job as President.

The PRESIDENT: The honourable member will resume his seat immediately and allow the Minister to proceed, or I will name him. The time is 3.15 p.m.

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

That so much of Standing Orders be suspended as to enable Question Time to continue until 3.35 p.m.

Motion carried.

The Hon. J. C. BURDETT: Dr Britton did recommend that officers of the Royal Adelaide Hospital should visit the Royal Prince Alfred Hospital to examine the operation of a patient information system in that hospital.

Dr Cornwall alleged that eight officers from the Health Commission's Automatic Data Processing Section were dispatched to Sydney at great expense to inspect this system. This is not so. One officer from the Health Commission's Computing Services Branch who is Project Co-ordinator for the patient information system went to Sydney with four staff members from the Royal Adelaide Hospital. The staff from the R.A.H. whose trip was approved by the board of the hospital were the Hospital's Computing Officer, an Acting Medical Director, a Medical Records Officer, and a nurse. This trip, which was essentially to provide these operational staff with the opportunity to examine the application of computer services to their specific areas of responsibility, is proof of the prudent approach of the Royal Adelaide Hospital to this issue. While in Sydney, the officers also saw an I.B.M. presentation on its new patient management system.

Dr Cornwall alleged that my colleague indicated that she was happy to have either an I.B.M. or Burroughs computer provided it was the same as the Royal Prince Alfred Hospital system. This is not true. She has never indicated a preference for any system, nor has she ever expressed a view about computers. These decisions are entirely left to the Health Commission and the Supply and Tender Board, which will in due course make a recommendation to the Government.

Before a decision can be made on either of the systems for which the Supply and Tender Board had given approval for further negotiation, it was considered essential that they be evaluated in operation in a hospital environment. As none of the systems is operating in Australia, this can only be achieved by evaluation in hospitals overseas. The visit to overseas hospitals was aimed at studying various features of the system, including:

Degree of integration of the system with hospital manual procedures and the level of implementation effort required to achieve the integration;

Flexibility of the system to adapt to local hospital requirements, including level of technical resources necessary to modify screen and report formats;

Contractual approach used by the hospital to protect its interest against the vendor; and

Ease of operation of system, including administrative structures to support the operation plus the computer operation staff required to keep the system available on a 24-hour basis.

The recommendation to send two officers overseas was approved by Cabinet and the Overseas Travel Committee. The officers were Mr Ray Blight, Director, Management Services, in the Health Commission, who is to evaluate the computer system itself and Dr S. Britton, Medical Director at the Royal Adelaide Hospital who is to evaluate the clinical application of the computer to the hospital situation.

Dr Cornwall's statement gives the impression that Mr Blight was associated with the debacle at the Flinders Medical Centre under the previous Government. This is not so. Mr Blight joined the Health Commission after that time and, in fact, has been responsible under this Government for the development of a computer policy and a strategic plan which is recognised as being among the best in Australia.

Dr Cornwall has alleged that Government officers have been accompanied by the Australian Manager of Burroughs. This is not only not true, but is a farcical allegation. It is unlikely that the Manager of Burroughs would be welcome on the I.B.M. hospital computing sites in the United States and Canada which are being visited by Mr Blight and Dr Britton.

As can be seen from the above facts, the Royal Adelaide Hospital is totally involved in the selection and introduction of a computer system at that hospital and Dr Cornwall's claim that the hospital is being prevented from putting its data processing in order is untrue.

To answer Dr Cornwall's specific questions, installation of a patient information system at Royal Adelaide Hospital will depend on the evaluation of the tender offers made by I.B.M. and Burroughs. These offers close on 3 August with the Department of Services and Supply. Installation at the Queen Elizabeth Hospital and Flinders Medical Centre, which already have limited patient information systems, will depend on the strategic plan for health computing which is being developed by the South Australian Health Commission. This will provide a detailed plan for the introduction of more extensive on-line systems at the major teaching hospitals.

The cost of sending five officers of the Royal Adelaide Hospital to Sydney was approximately $1 650. The amount approved by Cabinet for economy class air fares to the United States and Canada for Dr Britton and Mr Blight, together with the standard daily allowance, was $11 000. These costs have been fully met by the Government and are regarded as responsible expenditure to ensure that a sound decision is made in respect of a purchase which could be of the order of $200 000.

Finally, I am confident that the Health Commission has most carefully followed procedures as laid down by the Supply and Tender Board and has kept the Data Processing Board informed at each step of the way. What the Health Commission has been trying to avoid is the debacle in health computing which took place under the A.L.P. and which was highlighted so well by the Public Accounts Committee.

ELDERLY CITIZENS' HOMES

The Hon. N. K. FOSTER: I seek leave to make a brief explanation before asking the Minister of Community Welfare a question on charges in elderly citizens' homes.

Leave granted.

The Hon. N. K. FOSTER: I hope that I am directing my question to the right Minister. I will quote briefly from an article as follows:

> We think as tenants of the Elderly Citizens Homes Incorporated we have every right to forward our view of the recent high level of increases for maintenance we have just received.
>
> The board does not seem to be aware that we (the tenants) also have drastic increases to contend with, and on a very low budget being victims of circumstances and that maintenance rises of $4-$8-$12 per fortnight respectively is an exorbitant rate of increase.

The imposition of the increase has been made as a result of the board's decision. The Minister may remember that Aged Cottage Homes Incorporated in 1968-1969 imposed an exorbitant maintenance charge in the eastern suburbs that invoked the wrath of the Attorney-General, Mr Millhouse. He had some form of Governmental inquiry made in respect to Aged Cottage Homes Incorporated, and the inquiry was critical of the fact that there was evidence being withheld by Cottage Homes. One has not heard anything much about that in the intervening years. I believe that a percentage of the increase in pensions is imposed by way of some charges.

Will the Minister inform the Council whether or not elderly citizens' homes in their various categories come within the ambit of any State Act and, if so, what Act? Do they fall within the range of the Charitable Purposes Act? Will the Minister arrange a conference between, on the one hand, the President and officers of the various elderly citizens' homes and, on the other hand, his department to ascertain what scale of increased fees for maintenance charges and contractual charges have been implemented in the last nine months?

The Hon. J. C. BURDETT: The matter of Aged Cottage Homes is a Federal matter and not a State one. So far as it pertains—

The Hon. N. K. Foster: That is not true—you had better check it before you put your foot in it.

The Hon. J. C. BURDETT: I will not put my foot in it. So far as it is a State matter it pertains more to my colleague, the Minister of Health, than it does to myself. I will see that the honourable member is provided with a reply.

MALLEN COMMITTEE REPORT

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Community Welfare, representing the Minister of Health, a question on the Mallen committee.

Leave granted.

The Hon. ANNE LEVY: On 3 June I asked a question of the Minister relating to the Mallen Committee but I understand that because we are now in a new session of Parliament any replies to questions asked before the proroguing of Parliament are merely provided as answers in letter form to members and subsequently are not made public through *Hansard*. To get replies to such questions they need to be re-asked in the Chamber. I wish to take up one of three questions which I asked and to which I have not yet received a reply. The Mallen Committee was set up by the previous Government to collect data and report on abortions in South Australia. For the last 10 years it has always produced a report at about this time. Since its last report the Chairman, Sir Leonard Mallen, has unfortunately died, and there has been no announcement from the Government as to who is to replace him as Chairman or whether the committee will still operate and whether the abortion statistics for the year 1980 will be available. I would be grateful for an answer to this query.

The Hon. J. C. BURDETT: The honourable member has stated that she asked the question in the previous session. A reply is available. My colleague, the Minister of Health, has advised me that Professor L. W. Cox has been appointed Chairman. The committee will continue otherwise unchanged for the time being. My colleague intends reviewing the committee and its functions. The 1980 annual report will be made available as soon as possible.

FORESTRY INVESTMENT

The Hon. B. A. CHATTERTON: I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question on forestry investment.

Leave granted.

The Hon. B. A. CHATTERTON: Recently an advertising circular was sent to a number of houses in the Adelaide area, from a company called Forestry Management Pty Ltd, which gives its address as G.P.O. Box 812, Adelaide, South Australia. Part of that letter to the family reads as follows:

> Dear Family,
>
> Following the forestry plantings at Port Lincoln, Forestry Management are excited about their new short rotation plan on Kangaroo Island.

I am not sure how that makes sense but that is what it states. The letter continues:

This new development will provide much quicker returns than has been historically so in the timber industry. We take this opportunity to tell you about tree farming and the little-known facts regarding forestry investment.

It then goes on to mention some of the little-known facts, which are, in fact, quite inaccurate. One of the little-known facts is that the timber imports are the single largest annual import bill in Australia. Of course, that is quite untrue, because petroleum is.

The Hon. R. C. DeGaris interjecting:

The Hon. B. A. CHATTERTON: There are other products which I think are of a nature comparable to timber and which are larger than timber. Anyway, it should have been qualified if they meant agricultural products. It also states figures about United States and Australian consumption, without pointing out that the differences might be due to different price levels.

In other words, there is some confused information in this pamphlet, which is seeking investment from members of the public in an enterprise regarding which they have given misleading information. It is misleading to say that quick returns from short rotation are a new idea, as they have been available to foresters for a long time. With the quick rotation type of forestry development it has always been a problem to dispose of the small wood.

In view of the obvious inaccuracies in this advertisement, will the Minister investigate it to see whether people are being misled if they invest in this forestry enterprise and, if he finds that the information is misleading, will the Minister take the appropriate steps to see that people are not confused and misled in this area of investment?

The Hon. J. C. BURDETT: If the honourable member would make the document available to me afterwards, I will certainly have it investigated to see whether it does constitute an offence under the Unfair Advertising Act or any other legislation. I will refer the matter to my department and have it investigated.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 21 July. Page 46.)

The Hon. C. J. SUMNER (Leader of the Opposition): His Excellency the Governor mentioned in his Speech the contribution that Sir Thomas Playford made to the State of South Australia during his long political career, and I, too, at another time have endorsed those comments and paid my tribute to his service.

I should also like to take the opportunity of congratulating the Hon. Mr DeGaris who, in the Queen's birthday honours list, became a Member of the Order of Australia.

I should like today to deal with some matters relating to the relationship between Parliament and the other two arms of government, namely, the Executive and the Judiciary. It is generally accepted that in a democracy some separation of powers is necessary for the protection of the rights of the citizen and the proper functioning of the democratic process.

Parliament makes the law; the Government administers it; and an independent Judiciary interprets it and ensures that the law is adhered to. The notion of one authority making the law, administering it and acting as a judge in relation to breaches of it would be intolerable. That is a dictatorship.

In the United States, there is a more clear-cut separation of powers than exists in the Westminster system. The President is separate from the Congress, and the Judiciary is separate from both those institutions. That came about as a result of the United States experience leading up to the American Revolution, with the authoritarian excesses of the British sovereign.

On the other hand, our system does not contain that strict separation, and the Executive, in the form of Cabinet, is part of the Parliament. The balance between the various arms of government is always in a state of some flux.

Much has been written about the Executive dominance over the Parliament and Ministerial responsibility in recent times. I wish to address my attention to these matters, as indeed the Hon. Mr DeGaris did yesterday, and to make some suggestions to ensure that there is a check and scrutiny by Parliament over the activities of the Executive and the Public Service. However, before dealing with that matter, I should like to canvass the reasons for the Executive dominance that is now alleged to have occurred and the reduction of the power of Parliament.

I believe that a number of changes have occurred in society generally over the past 50 years that have affected this balance. The first and most important is the increasing complexity of society and the need for greater expertise in a technological world. There are difficulties in relation to Parliament and non-experts coming to grips with the complexities. So, the expert who has a full knowledge of the matters in hand within the bureaucracy has much greater power because of that added knowledge.

At the last election, the Liberals ran an anti-regulation campaign. They believed that our society was over-regulated. It was almost as if the Labor Party considered regulation in itself as a good thing, irrespective of the community benefit. I reject that imputation. I believe that in a democratic system the Government, elected as it is by the community, is an agent of the community. That community is now much more complex than it was 50 years ago and, whether we like it or not, it requires greater regulation. However, that is not something that is looked on by us in the Labor Party with an almost sadistic delight, as seems to be suggested by the Liberals.

Indeed, there is a strong thread in socialist theory that, without classes and oppression, and exploitation of one class by another, but where co-operation and not competition is the dominant ethic, there would be little need for ever-increasing regulation. The communist Engels theory was that if classes were abolished the State would wither away, as the State was an instrument for the oppression of the proletariat by the bourgeoisie. It may be that the Hon. Mr DeGaris has more in common with these theories than he may otherwise have thought. Unfortunately, I doubt whether that state of utopian bliss and non-regulation will be achieved either by the Hon. Mr DeGaris's solutions or by those of Marx and his contemporaries. The increasing complexity is a fact of life that requires more regulation. Villages and small country towns have become large cities, and small workshops have become large factories. Increased industrialisation has thrown up a new era of environmentally-related health problems, air pollution, water quality, carcinogens, and mutagens in the environment, all of which require regulation and control. For people to live in a satisfying urban environment in close proximity *en masse* needs more planning by Governments than people living in small rural environments with no population pressure. The motor car led the Liberals to introduce further regulations: the P-plate scheme and random breath testing. Community interest was their justification for those additional regulations.

In so far as the Liberals have promised the removal of unnecessary regulations which are not useful in the community interest, they are to be commended. However, I predict that, at the end of their period of Government, they

will have done more regulating than deregulating. It is this complexity of society, the need for regulation, which has had an adverse effect on Parliament's authority: first, because of the expertise needed by the bureaucracy to cope with the complexity of modern life; and, secondly, because of the plethora of regulations which are needed to cope with this but which are only subject to cursory Parliamentary review.

In 1929, the Lord Chief Justice of England, Lord Hewart, wrote the *New Despotism* which highlighted the tendency to government by regulation. Since then, the number and extent of Government regulation has become much greater. The other factor which is often mentioned in the context of the decline of Parliament is the rise of the modern Party system. The Party has become dominant, and Parliament has become weakened.

One Party dominates the Government, which in turn dominates the Parliament. I imagine this was the 'elected dictatorship' which the Hon. Mr DeGaris spoke about yesterday. I believe the dominance of the Party has been over-stressed and that the advantages of the Party system have not been emphasised sufficiently. It is a common and useful political ploy for smaller Parties, such as the Australian Democrats, and Independents, to criticise large Party dominance. However, I am not sure how the State would be run if Parliament only consisted of the Hon. Mr Milne's or the independents of this world. It would hardly lead to stable, decisive Government.

In small town councils, it may be possible to have 10 free-thinking burghers making decisions about whether and where to plant native trees, but a Parliament of 69 in South Australia, or 192 in Canberra, could not make decisions about the long-term future of the State or the nation without some kind of coherence and discipline within the Government structure. The Party provides that. Further, everyone knows that members of Parliament have their say in the Party room and, in theory, ought in that form to be able to influence Government decisions. Although members opposite (the Hon. Mr Cameron was at it again yesterday and the Attorney-General today) criticise the A.L.P. for its Party discipline, there is an element of hypocrisy in that criticism.

I concede that on occasions Liberal members do cross the floor, although that was very much more common in Opposition and is much less common now. Further, there has always been scope for free votes within the Labor Party on certain issues, and I refer to liquor laws, gambling, abortion and homosexual law reform, which all fall into that category. The most recent example of this was the legislation on soccer pools, which passed this Council because such a vote was allowed. Another advantage of the Party system and the Party discipline that flows from it is that an elector knows that if he votes for a Party and its policy there is at least a reasonable chance of it being implemented if that Party becomes the Government after an election.

Of course, there is a capacity for an individual member to influence the Party decision, and thereby the legislative process. I believe the possibility of that happening is greater within the A.L.P. than it is within the Liberal Party. In the A.L.P. Ministers are elected and a collective attitude is adopted generally in relation to legislation in which all Party members of Parliament participate. In the Liberal Party there is a greater scope for Cabinet authoritarianism, because the Premier selects the Cabinet, and presumably Party meeting decisions are only advisory—at least that is what we are told. In that sense, Labor members have the capacity and the opportunity to influence Party decisions, and therefore Government decisions, much more than Liberals. Despite this, I believe that, particularly on crucial issues such as the blocking of Supply, Party discipline operates within the Liberal Party, as it does in the Labor Party.

The basic approach of the major Parties and their relationship to Parliament is the same. Another aspect of Government complexity is the increased awareness and greater participation of people in matters which directly affect them. Unfortunately, I do not believe that the general level of political awareness has increased. However, people are more aware of their rights when confronted by a Government decision which may affect them. Unwanted freeways, transportation corridors, shopping centres, and a nuclear facility all mobilise people to object. As a corollary, interest groups are more highly aware and organised, and this again makes Government more difficult.

Parliament can seem irrelevant as the Government and interest groups negotiate with each other directly. Often, the Government keeps information to itself for fear of political consequences. That is usually counter-productive. Either the persons concerned find out anyhow, or when a decision is announced there is an outcry about lack of consultation. In a democracy one can only move as fast as community consensus will allow. To move too far from that risks defeat. To achieve that consensus public information, debate and discussion is essential.

It is with this background that I wish to examine some aspects of Parliament. In reference to the Executive and the Judiciary. Yesterday, the Hon. Mr DeGaris mentioned the concept of Ministerial responsibility and asked whether that notion still exists in Australia, if it ever did. At its highest, that principle states that a Minister should resign for a mistake in his department, even if he did not know about it. The theory is that if the Minister places his job on the line it could ensure stronger action against the public servants involved and therefore bring about more care in decision-making. That is the theory at its highest, but I do not believe that it has ever operated in Australia. I think the second formulation of the theory can best be explained by a quote from the Royal Commission on Australian Government Administration, which was commissioned by the Whitlam Government.

The Hon. R. C. DeGaris: Who was the Chairman of that commission?

The Hon. C. J. SUMNER: Dr Coombs. It states:

> The evidence tends to suggest rather that while Ministers continue to be held accountable to Parliament in the sense of being obliged to answer to it when Parliament so demands, and to indicate corrective action if that is called for, they themselves are not held culpable—and in consequence bound to resign or suffer dismissal—unless the action which stands condemned was theirs, or taken on their direction, or was action with which they ought obviously to have been concerned.

I do not believe that even that statement accurately reflects the position in Australia. Yesterday the Hon. Mr DeGaris said that he could not think of any Ministers who had resigned under the concept of Ministerial responsibility in the South Australian or Australian sphere. However, I point out that two Labor Ministers resigned in the Federal Parliament when Mr Whitlam took the view that they misled Parliament, and I refer to Dr Cairns and Mr Connor. I believe that the concept of Ministerial responsibility in Australia has only operated in the sense of personal culpability, dishonesty, corruption or misleading of Parliament, even though the question of misleading Parliament has become much more blurred, and I doubt whether a Minister would now resign if he misled Parliament inadvertently, although he may have sufficient public pressure on him to resign if he deliberately misled Parliament.

My feeling on the matter is that it is only in those areas where the concept of Ministerial responsibility and resignation for Ministerial incompetence actually operates. It

could be argued that in the two cases that have occurred in this State recently, involving the administration of the Hospitals Department and the dismissal of the Police Commissioner, that although there was no personal culpability in those situations, a resignation of a Minister would bring home to public servants the gravity of their actions.

I do not believe that in the Australian context there have been resignations in that general political sense where there has been no personal culpability. Certainly, there was no personal culpability in those situations. The extent to which Ministerial responsibility operates in Australia is limited. The theoretical rule which I enunciated at the beginning of my speech is not followed in the Australian context; indeed, I do not believe that it is followed in the Westminster context, because clearly it is impossible for a Minister to know everything that is going on within his department.

Given that change in the nature of Ministerial responsibility, the question arises what matters or steps can be taken to ensure that the Executive, that is, Cabinet, is responsible to Parliament, and that the actions of the Government are available for scrutiny by Parliament.

I will now look at some matters involved in this context. I believe that Parliamentary review of Government activities is more important for a Labor Party, which believes in an active public sector and an active role for Government, than it is even for a Conservative Party which does not believe that Government has any real role acting on behalf of the community in intervention in the economy and the like, or at least believes that the role should be much more limited.

Because we have that view of the importance of the Government acting on behalf of the community, I also believe it is important that we have a mechanism for review by politicians or others on behalf of the community of what the Government is doing. There are a number of ways that that review is carried out. The first is by question in Parliament. That is important, but is hardly satisfactory. It is too easy for Ministers—and they repeatedly do this—to avoid answering questions. Even simple questions which could be answered are avoided.

I recently asked the Premier how many non-public servants had been on selection panels for public servants and I sought the salaries of those officers. The reply came back and the information was given as to who had been on the selection panels, but the Minister said that the question about the salaries was irrelevant to the question that I had asked. Nevertheless, I had asked the question and could have legitimately expected a reply. All that had to happen was that I then re-asked the question and eventually obtained the reply. That is just an indication of the sort of petty evasion that occurs by Ministers answering questions.

Another example was a question which I asked about how many contracts had been awarded to interstate firms since the present Government came into office. I did that because the Premier had criticised the Labor Government for awarding contracts on the Northern Power Station to overseas companies, and I wanted to find out the Premier's attitude to this issue since he came to office. It was a perfectly legitimate question that could have been used to scrutinise the Government's attitude on this issue, yet the answer that I got was that it would take too much work for the Government to provide Parliament with that information. That is unacceptable.

I am not saying that this Government is alone in its attitude to Parliamentary questions, but it certainly could not be seen as a complete answer to the question of Parliamentary review of the Executive and the Ministry. The second method of review is by Parliamentary committees. The Labor Party has supported the development of the Parliamentary committee system, and honourable members would concede that in the Senate in Federal Parliament it was the actions of Senator Lionel Murphy, Labor Party Leader in the Senate prior to 1972, who largely activated the committee system in the Senate. The Labor Party Federal platform presently calls for the expansion and development of the committee system of the Senate as a mechanism for continuous review of Government activity and for the development of legislation committees in the House of Representatives.

They are not policies that apply specifically to this Parliament, although they indicate the general thrust of Labor's position in this matter. In fact, in this Parliament it was the Labor Government which introduced legislation to establish the Public Accounts Committee. I appreciate that Mr Nankivell had an interest in the matter and had certainly been talking about it but, nevertheless, it was the Labor Government that agreed to the establishment of that committee. The Labor Government introduced the Bill, but I do not wish to take anything away from Mr Nankivell's contribution.

Under the present Government there has been an attempt at improving review through the establishment of the Estimates Committees, but we are still in the process of finding out how effective that will be. Further, the Government has now announced that a committee on statutory authorities will be established. I do not wish to prejudge my attitude on that, but I wonder whether an additional committee is necessary and whether or not these activities could be carried out within the Public Accounts Committee, for instance, with additional membership and staff being provided for that committee.

Certainly, I do not disagree with the proposition that there ought to be Parliamentary supervision of statutory authorities. Whilst discussing statutory authorities, another aspect that the Government ought to consider is their position in the Budget, which does not contain direct reference to statutory authorities, but it should do so, so that Parliament, when it is considering the appropriations, gets an overview of all expenditure in which the Government is involved.

In summary, I believe there is scope for increasing the committee work of Parliament. One problem concerns numbers, because there are not as many back-benchers in this Parliament as there are in the Federal Parliament. I am not suggesting that there should be more, but that is one difficulty that one comes across when advocating more Parliamentary committee work. In the House of Assembly, once we take out the Ministry, the Speaker, and the Chairman of Committees, the number of back-benchers, particularly on the Government side, is not large. There are only about eight or 10 back-benchers left. I do not raise that as an insurmountable problem. I raise it only as a practical matter that must be considered.

The third aspect of a review of Parliament is in regard to private members' time. I do not believe that there is any great restriction on that time in the Legislative Council but there is no doubt that, in the House of Assembly, the right of a private member to have his say and put up propositions is very limited, and I believe that consideration should be given to extending the scope of private members' time in that House.

The fourth matter (and this relates really to the committee work that I have mentioned) is that some time ago the Government promulgated guidelines for public servants. I believe that they were ill advised and attempted to restrict the flow of information to the Parliament. A committee is working on those guidelines, and I do not wish to pre-empt its decision but I think that those guidelines as promulgated by the Government were ill advised, particularly the proposal that public servants appearing before Parliamentary

committees should be accompanied by an adviser. The guidelines controversy raised the question of whether Ministers ought to appear before committees.

I think the rules are reasonably clear. They are that public servants can be called to give factual information about matters to a Parliamentary committee, even though they may be matters of political controversy, but that questions of policy are matters that ought rightly to be dealt with by a Minister. If the traditional processes of Ministerial responsibility and questioning on the floor of Parliament are not adequate, I raise the question whether Ministers ought to appear before Parliamentary committees to answer questions on policy that the public servants are precluded from answering.

The fifth matter is the number of sitting days. Yesterday the Hon. Mr Cameron, in a fairly superficial contribution, tried to make the point that under the Dunstan Labor Government there had been a decline in the importance of Parliament. I completely repudiate that allegation, because in 1964, the last year of office of the Playford Government, Parliament sat for 37 days, while in the first year of the Walsh Government it sat for 82 days and in the second year for 73 days. In the first year of the Dunstan Government, 1970-71, Parliament sat for 75 days, and in the second year of office of that Government it sat for 74 days.

The number of days varies up and down, and I do not say that in the time of Sir Thomas Playford's Government Parliament sat on every occasion for 37 days. I think that at times the average was probably nearer to 45 or 50 days. However, for the Hon. Mr Cameron to say that Parliament lost its significance only in the days of Labor Governments is absolute nonsense. Labor Governments have traditionally sat the Parliament much more than Liberal Governments have done and certainly much more than Sir Thomas Playford's Government did. I do not know the solution about the number of sitting days. Obviously, Government activities must go on between sittings but I believe that there is a case for a certain number of sitting days to be laid down for the Parliament. Another solution may be that the breaks between sittings should be less than they have been traditionally.

The Hon. K. T. Griffin: You wouldn't be able to go ski-ing then.

The Hon. C. J. SUMNER: That may be true, but I would be prepared, in the interests of the people of South Australia, to give up that pleasure and scrutinise what the Minister has been doing. The difficulty is that there are many long breaks and that issues of controversy and of particular public importance arise during those breaks. During that time there is no scope for Parliament to question Ministers about those matters. It may be that the breaks should be shorter and the sittings of Parliament should be spread more over the year.

The Hon. R. J. Ritson: What about the continuing questioning through the media between sittings? That's a significant check.

The Hon. C. J. SUMNER: These matters can be questioned in the media but Ministers cannot be directly questioned, and it is really a matter of a barrage of words in the media. One is not able to scrutinise the Government's policies or the actvities of a Minister. One glaring example that occurred during the most recent break was the absolute shambles over petrol prices. I do not believe that even members on the Government side of this Council would claim that as one of the Government's most glorious hours. It was a complete shambles and, clearly, Parliament should have been involved in questioning the Minister about what happened. I raise that as one example of the sorts of issue cropping up outside Parliamentary sittings, but the issue of the number of sitting days is also important and needs to be examined.

The Hon. R. J. Ritson: You wouldn't think that those petrol negotiations were the complicated sort of matter that Parliament ultimately had to deal with?

The Hon. C. J. SUMNER: No. I do not say that matters of complexity should be left to the Executive. The honourable member has misunderstood what I said. I am saying that steps should be taken to increase the knowledge that Parliamentarians have and experts should be subjected to the scrutiny of members elected by the people.

The Hon. J. C. Burdett: You didn't do much about it when you were in Government.

The Hon. C. J. SUMNER: I am sorry that the Hon. Mr Burdett has come into the Chamber. I was making a contribution of some significance, and he has interrupted with an inane interjection that nothing has been done. I have said what the Labor Government did, and if he was here he would have heard that.

The next matter is that of giving information to Parliament. The Parliament has no idea of the matters that the Government is taking up at Federal level or at the Ministerial meetings to which all Ministers go. I believe that there ought to be a procedure for the tabling of the minutes and agenda of those meetings. I undertand that there may be some matters of confidentiality that could not necessarily be fully debated in the Parliament but I believe that there ought to be an opportunity for Parliament to know what matters the Government is discussing at Ministerial meetings.

The Hon. J. C. Burdett: You didn't do that.

The Hon. C. J. SUMNER: I appreciate that we did not. I am not making a political point about it or trying to score. Perhaps if the Minister had been here and listened he would understand what I said. The Hon. Mr Chatterton has pointed out that we did it in the case of the Agricultural Council. I ask the Attorney whether he will do what I suggest.

The Attorney-General refused to do it in the case of the Standing Committee of Attorneys-General and with respect to other conferences of that kind. That is a simple piece of information which the Parliament ought to have. Another initiative that can be taken by Governments to promote discussion and debate is the use of discussion papers or working papers. Often there is a problem if the Government puts out a discussion paper and automatically it is assumed to be Government policy, and therefore the discussion can tend to be more heated than it might otherwise be. I believe that a system of gradation of papers would be desirable. I understand that in the United Kingdom they have a system of green papers which do not represent Government policy but which are discussion documents only. White papers represent Government policy. If some kind of distinction could be introduced to the South Australian community it may be that we would get a more informed debate, and Governments could feel freer about giving out information that did not represent Government policy. That is a further suggestion.

Finally, attention needs to be given to the question of research assistance for Parliamentarians. I am not suggesting that all Parliamentarians need research assistance—I do not believe that. However, I do believe that some steps should be taken to improve research facilities. I believe that the Leader of the Opposition in this Council should have a research assistant.

The Hon. J. C. Burdett: You have one.

The Hon. C. J. SUMNER: I have not—I have a stenographer.

The Hon. J. C. Burdett: Be grateful for small mercies.

The Hon. C. J. SUMNER: I am. It is a serious matter that needs to be looked at by the Government. I believe that if we expect the Executive to open up its activities to Parliamentary and public scrutiny then Parliamentarians themselves should open up their affairs to public scrutiny. I believe that there is an urgent need for a Bill relating to declaration of pecuniary interests of Parliamentarians. They are the aspects of a review of the Administration's activities which occur essentially within the Parliament. There are systems outside the Parliament for review of these activities. One introduced by the Labor Government was the Ombudsman. Another system is that of administrative tribunals which was introduced by the Whitlam Government in 1975 and acted upon by the Fraser Government when it was elected. In South Australia there is no coherent system of administrative tribunals.

I have no doubt that there could be some rationalising of existing tribunals which have a *quasi* judicial or administrative nature. The Commissioner of Consumer Affairs, Mr Noblet, in his most recent report mentioned the rationalising of such tribunals as the Land and Business Agents Board, the Land Valuers Board, the Builders Licensing Board and the Credit Tribunal. They are tribunals that have been set up. They have the responsibility for granting licences. That is one aspect of administration which has a semi or *quasi* judicial character. They are subject to review but there is little rationalisation in them. I believe that a case can be made out for that to happen, as Mr Noblet has suggested. There is the more general area of administrative review as to whether or not the decisions of Ministers or other tribunals within the bureaucracy should be subject to some kind of review by a higher authority. In the Commonwealth sphere the Administrative Appeals Tribunal has been established, from which there is an appeal to the Federal court.

The Hon. Mr DeGaris yesterday mentioned difficulties with this type of review and quoted Mr Justice Kirby, the Chairman of the Australian Law Reform Commission, who believes that the question of Ministerial responsibility in this area is becoming blurred because these administrative tribunals are making what in effect are policy decisions. I certainly believe that if one sets up a structure for administrative review there must be some demarcation between the legitimate role of the tribunal and the role and policy-making function of the Government and the Minister. If they are becoming blurred, as Mr Justice Kirby suggests, that should be looked at.

One matter that was brought to my attention recently in this area was that of a teacher dismissed from the Education Department. He took his case to the Teachers Appeal Board. The appeal was rejected and so the dismissal stood. He then requested the board to give reasons for the dismissal because he thought he might be able to take the matter further by way of some judicial review of that decision. He was not entitled to reasons, and the Board refused to give him reasons. An investigation of the law indicates that the courts would not compel reasons in that sort of situation. In the United Kingdom that has been overcome by the Tribunals and Inquiries Act, which compels reasons to be given by a large number of statutory tribunals. I believe that where an individual is affected by a decision of that kind the administrative tribunal ought to be compelled to give reasons. I am considering the introduction of a private member's Bill to provide for that. That is one example of an inadequacy in the administrative review procedures. In general terms I believe that there is a need for a system of review of administrative action in South Australia. I would advocate the establishment of a committee to investigate what system of administrative review would be best suited to the needs of South Australians.

The final area in which review can be carried out outside Parliament is in the media. I do not wish to go into that today but I believe that, because the media have an important and powerful role in our society, their power has to be exercised responsibly. I now refer to the question of freedom of information. It is obvious that if Parliament and the public are going to be able to review the actions of the administration—the Executive—they must have access to the information. The Labor Party, when in Government, set up a working party into freedom of information, and a discussion paper was distributed. At the time of the 1979 election we were awaiting responses to that discussion paper. I do not believe that the matter has been carried further by the present Government. Obviously, freedom of information legislation is absolutely essential to the concepts that I am putting about greater review and accountability of Government to Parliament and the people.

There are three other matters that I wish to mention. First, I refer to the question of appropriations to Parliament as mentioned by the Hon. Mr DeGaris yesterday. This matter was highlighted in the last session when the Government refused to make money available for research assistance for a Select Committee of this Council on unsworn statements. It is clear that the independence and supremacy of Parliament are adversely affected if it cannot function without going cap in hand to the Government and is treated as another Government department. This matter has been considered at a Federal level by a report of a Select Committee of the Senate entitled 'Parliaments—appropriations and staffing' which was tabled recently.

Although I will not quote all of that committee's conclusions, it recommended that the appropriations for Parliament should not be considered as the ordinary annual services of the Government but ought to be a separate Appropriation Bill for the Parliament. A number of suggestions were made regarding how that could be achieved. One of the committee's conclusions was as follows:

> The Select Committee recognises that the present constitutional arrangements place financial initiative firmly in the hands of the Executive; it concludes that this is a proper arrangement for Government appropriations, but not for Parliamentary appropriations and, therefore, that the Constitution should be amended when the occasion next arises.

The committee then states:

> The present procedure for Parliament's appropriations is unsatisfactory as it involves Parliament making bids about which the Executive may apply a qualitative judgment and thereby restrict the ability of the Legislature to discharge its constitutional duties.

They suggested a separate Appropriation Bill and that the Parliament should establish a committee with Executive representation to examine and modify, if necessary, the Parliament's estimates. Of course, that is designed to give the Parliament a constitutional position which it should have and which involves supremacy and independence in the area of its financial relationships, so that it can carry out the sort of investigations which the Select Committee on the Unsworn Statement is carrying out, the funds for which were refused by the Government. It is interesting to note that Senator Jessop, the Chairman of the committee to which I have referred, said the following when he released his committee's report:

> One of the encumbrances on Parliament was the staffing of Select Committees. The Senate was still restricted in some ways in providing adequate staff for the committee system. The President should have requests for staffing granted without question, but there had been occasions when this had not happened.

So, it appears that Senator Jessop in the Federal Parliament had views similar to those of the members of the Select

Committee on the Unsworn Statement. I believe that reforms along the lines suggested by the Federal committee ought to be implemented, and this is particularly true if Parliament is to carry out its scrutinising and investigative role.

The next matter to which I refer is the *sub judice* rule. We are rapidly getting to a situation where what can be said in Parliament is less than what can be said outside. That is quite an absurd situation. The situation has been highlighted again in the recent controversy surrounding the axe murder case, and, indeed, was highlighted last year in the Estimates Committee debates when a Royal Commission was set up to investigate the prison system.

The Hon. R. C. DeGaris: Can you make any complaint about the *sub judice* rule in this House?

The Hon. C. J. SUMNER: Not so far.

The Hon. J. C. Burdett: It didn't arise in the axe murder case, but you said it did.

The Hon. C. J. SUMNER: I said that we are arriving at a situation where we may be able to say less in the Parliament than can be said outside. The fact is that in another place yesterday the Premier was prevented, by a ruling of the Speaker, from giving a Ministerial statement that was given in this Council in its entirety. He had to chop out some matters and, for the Hon. Mr Burdett's information, that is what I am saying. I merely said that the situation had been highlighted by the axe murder case.

The rationale for the *sub judice* rule is that there should not be prejudice to the results of proceedings before a court or judicial tribunal. That is an aspect of the relationship between the Parliament and the Courts: where Parliament properly takes the view that it would not permit discussion on a matter, that would be contempt of court if it was said outside the Parliament.

The principles relating to contempt of court for prejudicing a fair trial apply to the *sub judice* rule in Parliament. The Parliament should certainly not treat as *sub judice* something that would not be considered by the courts to be contempt. I should like to indicate to the Council just what the contempt of court rule is in this area. I refer to page 7 of Halsbury, 4th Edition:

> Conduct amounting to contempt. In general terms, words spoken or otherwise published, or acts done, outside court which are intended or likely to interfere with or obstruct the fair administration of justice are punishable as criminal contempts of court. The commonest examples of such contempts are: (1) publications which are intended or likely to prejudice the fair trial or conduct of criminal or civil proceedings, (2) publications which prejudge issues in pending proceedings.

Then, further examples are given. On page 8:

> 'Tending' or 'intended' to prejudice. For a publication to amount to a contempt, it is not necessary that it should be shown actually to prejudice a fair trial or the conduct of the proceedings. The true test appears to be whether the publication is likely or tends to prejudice the trial or conduct of the action. The degree of risk of prejudice, while not material to the question whether a contempt has been committed, is a material factor in determining what punishment, if any, should be imposed on the contemnor.

On page 10:

> It is a contempt of court to publish comment on pending proceedings which prejudges the merits of the case or which imputes guilt to, or asserts the innocence of, a particular accused. It is a serious contempt for a newspaper systematically to conduct an independent investigation into a crime for which a man has been arrested and to publish the results of that investigation. Similarly, it may be a contempt to publish an interview with an accused man or with a witness or potential witness before trial.

The following is important at page 12:

> The relevant date for determining whether a publicataion is calculated to prejudice the fair trial of criminal proceedings is the date of publication. In general no publication can amount to a contempt of court under this head of contempt unless at the date of publication criminal proceedings are either pending or imminent. A criminal prosecution may be said to be pending for this purpose at any time after a person has been arrested and is in custody. It is not necessary that the accused person should have been committed for trial; nor is it necessary that he should have been brought before a court of summary jurisdiction.
>
> Although there is no clear authority on the point, it would seem that criminal proceedings are imminent if, at the date of the publication complained of, it is obvious that a suspect is about to be arrested for the crime.
>
> A criminal cause is pending until the proceedings are finally concluded and no further appeal is possible, either because the rights of appeal have been exhausted or because the time for giving notice of appeal has elapsed. Where a criminal trial has ended in the disagreement of the jury and a new trial is probable, a publication may constitute a contempt if it is likely to prejudice the retrial of the accused.

I emphasise the statement of the law which says that in a criminal matter the contempt rule, or the *sub judice* rule, in effect, applies until the time for an appeal has expired. I believe that many people over the past few days (and it has been repeated in today's *News*) were under the apprehension that the *sub judice* or contempt rule did not apply until an appeal had been lodged. I do not believe that that is a correct statement on the position.

The Hon. R. C. DeGaris: What is the position in relation to commissions and tribunals?

The Hon. C. J. SUMNER: I think similar rules apply. The basic rule which comes out of all that is whether or not there is likely to be prejudice to a trial or to the consideration by a judicial tribunal of a particular matter.

The Hon. R. C. DeGaris: A recent ruling in the House of Commons is quite different from that.

The Hon. C. J. SUMNER: As I understand the recent rulings, the House of Commons refers to a real and substantial danger of prejudice to proceedings. They talk about the *sub judice* rule being within the discretion of the President. There is one other matter I wish to mention in the context of when the *sub judice* rule applies and the fact that it applies until the time for an appeal has expired. In Halsbury (page 11) the following statement appears:

> Although proceedings can probably only be said to have determined finally when the House of Lords has heard and decided an appeal, or leave to appeal has been refused by the House, the likelihood that a publication would influence an appeal either to the Court of Appeal or to the House of Lords and thereby amount to a contempt is plainly very slight.

Halsbury is saying that before the trial the contempt rule would obviously be policed much more strictly.

It is obvious from the events of the last few days that the contempt rule was not being policed by the courts. I assume that is the view taken by the courts, namely, that they, as appeal judges, would not be influenced by the media coverage of the case. I am saying that the courts have not seen fit to take any action for contempt in relation to any of the media publications surrounding the axe murder case. If the courts do not see that that activity has in any way constituted a prejudice to a future trial, I do not see why this Council or Parliament ought to be placed in a more disadvantageous position than the media or people who comment outside of Parliament.

The Hon. J. C. Burdett: This Council has not, has it?

The Hon. C. J. SUMNER: No, I appreciate that. Although the problem did not arise in this Chamber yesterday, I understand that in the House of Assembly some matters in the Ministerial statement had to be taken out. There was nothing in that Ministerial statement which went further than the considerable discussions in the media over the previous four days. The courts have not considered that media discussion and treatment is contempt or that it is prejudicial to the appeal proceedings. Accordingly, Parliament should permit discussion on it. To do otherwise would lead to Parliament being more restricted in its capacity to debate an issue than are the media or the public generally.

While I concede that in this Council a ruling was not made that discussion could not—

The Hon. J. C. Burdett: That is what I was saying.

The Hon. C. J. SUMNER: I was saying that it was a problem for Parliament if those sorts of rulings are made in the House of Assembly. I do not think that even the Hon. Mr Burdett would dispute the fact that, in terms of the authority and independence of Parliament and the scope of Parliament to discuss public issues, that ruling is absurd. We should be looking to the formulation of a *sub judice* rule which ties in with the statements that I have provided to the Council about the law on contempt. In other words, if the courts do not consider statements of controversy in publications to be contempt, then we in Parliament ought not to have a more restrictive rule. If we have a more restrictive rule, we are placing ourselves in a less advantageous position to discuss public issues than the public generally, or the press.

The Hon. J. C. Burdett: Have you looked at the Commonwealth Officers Papers on the subject of the *sub judice* rule? I think you will probably agree with them.

The Hon. C. J. SUMNER: No, I have not. I raise that as another aspect where I think the authority of Parliament may be adversely affected in relation to the Courts and not so much the Executive. Finally, I wish to deal with some aspects of Labor's attitude to the Legislative Council. The Hon. Mr DeGaris believes that the Legislative Council, as an Upper House, can play a role in monitoring or scrutinising the Executive. He sees it as a panacea or at least a possibility to revise the powers of Parliament through the Legislative Council.

Believing as I do that more needs to be done in terms of Parliamentary scrutiny of Government activity, I must confront the issue of the Legislative Council. Labor's policy in the past has been clearly conditioned by the absolutely undemocratic nature of the Council as it was until 1973, when Liberal members dominated the Council by 16 to four. However, it is now true that the Council is elected at least as democratically as is the Lower House, and proponents of proportional representation would maintain that it is elected more democratically. Therefore, the argument about its being a class-based House or a House based on property franchise is clearly no longer valid. Labor's policy in relation to the Council is as follows:

> The ultimate aim of Labor is a unicameral Parliamentary system and affirms:
>
> that a second Parliamentary chamber in South Australia is unnecessary and wasteful of public funds;
>
> that the Legislative Council should be abolished after a favourable vote of citizens at a referendum. Meanwhile, the Council should be reformed by altering its powers not to exceed those of the United Kingdom's House of Lords.

Therefore, in terms of Labor's policy the question comes down to—

The Hon. R. C. DeGaris: Are you saying that a democratically elected House should only have the same powers as a hereditary House?

The Hon. C. J. SUMNER: I am referring to the Upper House. The question then comes down to whether an Upper House in the context of a population of 1 400 000 people is unnecessary and wasteful of public funds. In effect, it comes down to a cost benefit analysis. Are we getting out of this Council, which is now democratically elected, value for our money? Is it justified in a comparatively small State of 1 400 000 people? Certainly, if it were advocated that the Legislative Council should be abolished and the same number of politicians made up in the Lower House, one would be achieving nothing by abolition and one could hardly support it in those terms. I emphasise that abolition is an aim which would be achieved only after a favourable vote at a referendum, after it had been put by a Party before an election and after a Bill to abolish or to establish the referendum had passed both Houses of Parliament.

The Hon. L. H. Davis: Do you support it yourself?

The Hon. C. J. SUMNER: That is the Labor Party policy, and I support it. I do not think that members opposite who would be thrown out of their jobs should worry that there is any immediate prospect of the Legislative Council being abolished.

When talking in terms of Parliament and Parliamentary review of the Executive, we must talk in terms of the Legislative Council existing and therefore working with the Parliament as we have it. On the question of whether we justify ourselves, whether on a cost-benefit analysis we should be here, I think the cost of the Legislative Council to the State is important. I seek leave to have inserted in *Hansard* without my reading it an estimate of the cost of running this Council. These statistics have been prepared by the Library Research Service.

Leave granted.

COST OF LEGISLATIVE COUNCIL

	$
Salaries	
19 Members	691 723
3 Ministers	158 490
General Salaries	209 640
Pay-roll tax	10 485
	1 070 338
Administration and sundry minor expenses	54 329
Select Committee Expenses	31 182
Telephones	
32 per cent of 93 726	29 984
Maintenance—air-conditioning etc.	
32 per cent of 41 528	13 280
Running Costs of Parliament House (fuel, lights etc.)	
32 per cent of 134 400	43 008
Hansard	
32 per cent of 584 955	187 168
Printing of Bills	
32 per cent of 837 992	268 160
Members Insurance	
32 per cent of 2 499	800
Members Travelling Expenses	
32 per cent of 146 890	47 008
Commonwealth Parliamentary Association Matters	
32 per cent of 74 300	23 776
Library	
32 per cent of 182 000	58 240
Dining Room Joint House facilities	
32 per cent of 208 000	66 560
P.B.D. Expenditure on Parliament House—structural repairs, alterations etc.	
32 per cent of 200 000	64 000
Total Cost	1 957 833
or in round figures	2 000 000

The Hon. C. J. SUMNER: This summary estimates the cost of this Council in round figures at $2 000 000, including salaries and other administrative expenses. It includes the cost of telephone calls based on 32 per cent of the total cost of calls for Parliament; it includes 32 per cent of the printing of Bills being a cost to the Legislative Council, and it includes 32 per cent of the library cost being directed to the Legislative Council.

Doubtless, if one abolishes the Legislative Council, some of those costs would continue, although they may not continue to the same extent. However, it is clear that the cost of the Legislative Council to this State is about $2 000 000. I appreciate that savings would not be so great proportionately if the Council were abolished. Perhaps honourable members will closely scrutinise these figures but, if we are to justify our existence, as some Government members would wish to, then it should be justified on the basis of

some knowledge of what the cost is to the people of South Australia.

I do not wish to get into that argument at this stage. I did this for completeness and because I had to confront the issue of the Legislative Council and what attitude we took in order to deal with the arguments of Parliamentary review. I have dealt with them. The ultimate objectives are clear, but there must be a referendum, and the matter would have to be fully debated throughout the community. I do not see any immediate prospect of the Legislative Council being abolished. Given that that is the political reality, it behoves us, if this is part of the Parliamentary process, to ensure that it works and acts in a way that provides some Parliamentary review of the Executive in the terms that I have just mentioned. However, the powers of the Council ought to be restricted: they ought to be restricted in the same terms as the powers of the House of Lords.

The Hon. J. C. Burdett: Why?

The Hon. C. J. SUMNER: I know that the Hon. Mr Burdett does not want to lose his job and, although he is enjoying it, I am not sure that he is doing a good job.

The Hon. J. C. Burdett: That has nothing to do with it.

The Hon. C. J. SUMNER: I wish the Hon. Mr Burdett would stop interjecting. I am dealing with all the arguments. He has not been disappointed yet. I have come to all his comments and have answered them.

The Hon. J. C. Burdett: You've not indicated how you have set out the salaries.

The ACTING PRESIDENT (Hon. M. B. Dawkins): Order! There are too many interjections. The Hon. Mr Sumner will continue his speech and members will restrict their interjections. The Hon. Mr Sumner.

The Hon. C. J. SUMNER: The powers of the House of Lords are that a money Bill becomes law if the House of Lords does not pass it without amendment within one month of its receipt from the House of Commons, that any other Bill becomes law if it is passed by the House of Commons in two successive sessions, whether in the same Parliament or not, and rejected by the House of Lords in each of those sessions, provided that one year elapses between its second reading in the House of Commons and its passing by that House in the second session.

I believe that restricting the power of the Upper House, in this case the Legislative Council, would improve its capacity for review. It would improve its capacity for getting a consensus and obtaining an improvement to legislation. It would take the Council out of the direct Party-political arena. The Government would not feel threatened, because it would know that in the end its legislative programme could be achieved. I believe that it is absolutely intolerable for an Upper House to block Supply, even if there is that argument in the Senate, because we have a Federal system (I do not accept that, but that is the Liberal argument), but surely there can be no argument in South Australia where a Government is formed in the Lower House.

Further, I believe that an Upper House should not be able to frustrate indefinitely the most recent expression of electors' views which are expressed through the Government in another place. Therefore, I believe that an Upper House should only have delaying powers. I believe it would take some of the confrontation element out of Government proposals. It would still provide, if that is what honourable members opposite like, the Upper House to be a House of Review, because it would have the capacity to investigate Government legislation, but it could be done in the non-confrontationist atmosphere.

Unfortunately at the present time the Upper House as a House of Review does become confrontationist, and it does become a matter of the Government's wanting its legislation to go through. The Upper House always has the power to block that legislation completely and to defeat the Government by blocking its programme.

The Hon. J. C. Burdett: Would your Government introduce this measure if you got into Government?

The Hon. C. J. SUMNER: Yes. It is our policy.

The Hon. R. C. DeGaris: Would you hold a referendum?

The Hon. C. J. SUMNER: I do not know whether we would need that, but it would have to be looked at. That is our policy. If we are going to be serious about making the Parliamentary system work, then members opposite ought to give serious consideration to those reforms. I do not believe these reforms would take anything away from the authority of the Legislative Council, and I believe that, if it wanted to act as a House of Review, these reforms would more effectively give the capacity for the Legislative Council to carry out that review.

The Hon. J. C. Burdett: It's the thin edge of the wedge of abolition.

The Hon. C. J. SUMNER: The Hon. Mr Burdett knows that the existence of this Council is entrenched in the Constitution and that there would need to be a referendum. Surely, if the people of South Australia want to abolish the Legislative Council they should have the right to do so, and that is what our policy says.

The Hon. J. C. Burdett: It says that you want to do that.

The Hon. C. J. SUMNER: It does. Obviously, the people of South Australia, if they do not want to do it, would not get it off the ground. Apparently the Hon. Mr Burdett is not prepared to give such a decision to South Australians. I am sorry that my discussion on this matter was interrupted in that way by the Hon. Mr Burdett, because I have tried to confront the issues that are affecting the Parliament and the relationship between Parliament and the Executive. I have tried to confront the issue of the role that the Legislative Council may have in that situation. I think that the interjection by the Hon. Mr Burdett did not do him much credit. Any Government obviously needs a degree of confidentiality and a capacity to govern and make decisions. Ministers are busy and have enormous pressures on their time, and more Parliamentary sittings or appearance by Ministers before committees is sometimes irksome. Nevertheless, I believe that the propositions I have put deserve serious consideration in ensuring proper Parliamentary supervision of the activities of the Government.

The Hon. D. H. LAIDLAW: I thank His Excellency (Mr Seaman) for opening Parliament. At the outset, I should like to congratulate the Hon. Ren DeGaris on receiving an Australian Order in the Birthday Honours. We all know that he has played a significant part in the working of this Parliament. In his Speech, His Excellency stressed that the Government recognised that tourism was an important industry in the State and had recently created a new Tourist Development Board. The Government will appoint regional managers within the department to provide liaison with tourist operators and will provide additional funds to promote tourism.

These steps are to be commended, and they follow a review of tourism by Robert Tonge and Associates, which is a firm of Queensland-based tourist consultants. I wish to speak today about tourism because I have just returned from a Commonwealth Parliamentary Association study tour, during which I investigated what action is being taken to develop tourism in the Provinces of Canada and in Eire.

I did this at the request of the Minister of Tourism. She may have asked me because I have said on a number of occasions that probably more new jobs could be found for females and juniors by providing grants and Government-guaranteed loans to the tertiary sector, such as

tourism, than can be achieved by giving priority, as at present, to secondary industry. I speak with some knowledge of this subject because the Industries Development Committee, of which I am Chairman, recommends assistance to both secondary and tertiary industry.

Before commenting further upon tourism, I wish to refer to Sir Thomas Playford. His Excellency paid a glowing tribute to his achievements and made mention of his sense of humour, with which I concur fully. Without a sense of humour and a sense of the ridiculous it is hard for any person to bear a burden of high responsibility for many years. Sir Thomas was endowed with this, and yesterday the Hon. Martin Cameron, when moving the adoption of the Address in Reply, told a story to illustrate Sir Thomas's sense of humour.

I shall also tell of an experience of mine. Sir Thomas, 20 years or more ago, used to come down to Perry Engineering at Mile End to have gadgets made in our toolroom for the irrigation system in his orchard. For some reason he used to pick on me to get the pieces made. To his credit he always insisted on paying for them before he took delivery in case he forgot and people might think that he was trying to get things free. On one occasion he came to the works and said that he wanted an offset orifice, made to drawings that he had prepared in the Premier's Office. When I expressed ignorance as to his need for an offset orifice, he asked to be taken immediately to our toolroom.

En route, we encountered Mr C. J. Bodfish, a former Works Manager with the humour of a back countryman, who was known to Sir Thomas. Sir Thomas said, 'Bodfish, at least you would know what an offset orifice is used for.' Bodfish replied, with a deadpan expression, 'It sounds like a mechanical gadget for crooked constipated politicians.' This appealed to Sir Thomas, who only wanted a connection that could be attached to his irrigation pipe to drain liquid fertiliser into the water stream in proportion to the pressure. Frequently from that day on Sir Thomas referred to me as the fellow who tried to run an engineering works and did not know what use to make of an offset orifice.

Returning to tourism, I should explain that during my study tour I talked with the Federal tourist authorities in Ottawa, tourist authorities in Provinces in Canada, and the Irish Tourist Board in Dublin. Because of time constraints, I shall confine my comments to the efforts in British Columbia and in Eire to promote tourism. The authorities in both places have been most active.

Our Government recognises that we have only scratched the surface so far as tourism promotion in South Australia is concerned. For instance, in 1979-80, 780 000 people visited Australia but only 103 000, or 13 per cent, of them chose to come to South Australia. A total of 3 600 000 people took trips within the State, and a trip is defined as one by a person who travels for at least one night. Of these, 2 700 000 were local residents, 800 000 came from interstate, and, as I have said, 103 000 came from overseas.

It is believed that tourism is worth about $300 000 000 per year to the State. It sustains directly and indirectly about 35 000 jobs, and this amounts to 5.9 per cent of the number of jobs in the total labour force. Tourism provides certain specific benefits. It is a decentralised industry and, without tourism, some small towns would not exist. Tourism is labour-intensive and, during a time of technological change, it still employs large numbers of unskilled women and juniors.

It is questionable to what extent the Government should interfere in tourism but, at the very least, it can create an environment conducive to the development of the industry. For example, it can embark upon marketing programmes to attract more group travel. It can assist regional tourist organisations to promote their regions, it can develop tourist infra-structure (that is, toilets, look-outs, signposting, barbecues and picnic areas), and it can assist innovative projects with funds that are difficult to obtain elsewhere. In this respect, I notice that $5 000 000 will be lent this year through the State Bank for special tourist projects.

Having quoted some figures regarding the movement of tourists within South Australia, let me compare the activity within British Columbia, which has a population of 2 500 000, or twice the population of our own State. When the Social Credit Party regained power in 1976, Mrs McCarthy, then Deputy Premier and Minister of Tourism, reorganised the Tourist Development Authority, and a five-year marketing plan was prepared. In 1976 there were 9 900 000 tourist trips but by 1980 the number of trips exceeded 14 000 000, half of which were by local residents. This was 4.6 times as many trips as the 3 000 000 in South Australia.

The Hon. B. A. Chatterton: How does it compare with other Provinces in Canada?

The Hon. D. H. LAIDLAW: I will come to that. There is promotion in each Province but some Provinces have had a negative result. That is most noticeable. In 1976 revenue from tourism in British Columbia was $1 180 000 Australian, and this increased at a rate greater than the rate of inflation to $1 850 000 in 1980. In 1976 the average period of a trip was 1.35 days. This increased to 2.5 days in 1980 and, under the next financial year marketing plan, the authority plans to increase this to four days.

British Columbia is proud to have achieved such an upsurge in tourism during the past few years because results in the other Canadian Provinces have been static in nearly every instance, and Hawaii, which is a rival within the Pacific area, has had a downturn of 40 per cent in tourist numbers during the last eight years. Acts of violence against tourists, which attract headlines in the international press, are an ever-present worry to the authorities. In Hawaii the local inhabitants, especially the young, have turned against tourists, frequently with physical violence, believing that they are ruining the lifestyle of the islands.

British Columbia has made every effort to teach the local residents the importance of tourism to the economic well-being of the Province. I think it is important because there are areas locally where local residents object to the influx of tourists, and perhaps the Barossa Valley is one example. In British Columbia the Department of Tourism has instituted a scheme to recognise local residents who do a kindly act towards tourists. In each hotel and restaurant report cards are displayed. Tourists are asked to complete a form giving the name and address of a person and give a description of any exceptional act of kindness shown by a local. If an act is deemed to deserve recognition, a 'Good Show' badge, which is worn on a coat lapel, is sent to the local resident together with a letter of thanks signed by Premier Bennett. The 'Good Show' project has been in force for only a few months and to date 12 500 residents have received badges. I was impressed by the genuine enthusiasm shown for the scheme by the residents. I encountered very few condescending comments regarding it.

In addition to friendliness, cleanliness in public places is a goal being actively promoted. The Vancouver airport terminal is one example. It was spotlessly clean. The immigration officials were quick and friendly in contrast to the U.S. officials in Hawaii who allowed long queues to congregate and asked futile questions and then allowed transit passengers to be herded around like sheep without being able to go to restaurants or even duty free shops.

The first impression of any place, whether it is a country, town or hotel, is so important. Our Government wants to bring overseas flights into Adelaide by the end of 1982, and cleanliness is essential if we are to develop our tourist

potential. First, we should insist that the West Beach air terminal be kept clean. During weekends and in early mornings the lavatories at Adelaide Airport can be quite foul, and they can repulse a newly arrived tourist from overseas, as do certain Asian terminals.

British Columbia has certain geographical advantages such as mountains, lakes and rivers which are easy to promote but are in no way unique. They are competing continually for tourists seeking mountain holidays with the nearby States of Washington, Oregon, Utah and Wyoming, and neighbouring Banff and Jasper National Parks in Alberta.

On the debit side, the weather is poor. Vancouver, for example, is situated on the southern edge of British Columbia and has an average rainfall of about 90 inches. It does not seem to rain heavily but drizzles for some part of most days. Adelaide residents often take sunshine and windless days, especially in autumn, for granted but these are assets which must be promoted *ad nauseam* by our tourist authorities. Many have the impression that British Columbia attracts tourists by the millions because of its mountains, rivers and lakes. To an extent this is true, but tourists soon tire of looking at mountains, and it is essential to provide a lot of other attractions. They have concentrated successfully on attracting groups with special interests such as horticulturists, floriculturists, anglers, skiers and golfers.

Much more can be done in South Australia to attract special groups. Take cricket for example. Adelaide has a famous personality, Sir Donald Bradman. If we could create a Bradman hall of cricket, adjacent to the Adelaide Oval, with a unique collection of cricketing memorabilia and modern films, we surely could attract to Adelaide as tourists many cricketing fans who may see no other reason to come here. It must be remembered that we get only 100 000 overseas tourists now, and another 5 000 would make a significant impact.

Whilst in British Columbia I went to Vancouver Island to see the Butchart Gardens, which are known to horticulturists world-wide. They are owned privately and are situated in a remote limestone quarry 20 miles from Victoria. Last year over 500 000 visitors went to Butchart Gardens and adults paid $5 per head for admission. When I looked at these gardens I wondered whether our Government, perhaps in association with a charitable foundation taking public donations, could create gardens of comparable quality in Adelaide, either in the Botanic Gardens or even in the Tea Tree Gully quarry, which is to close in 1982 and which the State Planning Authority intends to rehabilitate for public use.

For a number of years stone quarrying companies in the Adelaide area have added 5c a tonne for each tonne of stone sold and this is paid to a Government controlled Extraction Industries Rehabilitation Fund. Recently, the charge was raised to 10c per tonne. I presume that money from this fund could be allocated to a public gardens project at Tea Tree Gully quarry but should not be used to build up the Botanic Garden. British Columbia has several extremely fine gardens in addition to Butchart, such as Bloedel Conservatory near the university of British Columbia and Minter on the Fraser River, about 100 miles east of Vancouver. Each charges quite high admission fees to cover maintenance. I believe that South Australians, with some Government support, could create gardens of international standing in time and attract groups of tourists as a result.

The Hon. Frank Blevins: What about a casino?

The Hon. D. H. LAIDLAW: I do not think we need one. I have no strong views on that, but there is so much we can do without even bothering about a casino. I turn now to the development of tourism in Eire. During 1980, 1 700 000 tourists (that is, people who stayed for more than one day) came to Eire. This excludes 566 000 tourists from Ulster. Eire has a population of 3 300 000, so that 1 700 000 visitors to that country must be compared with 920 000 who last year came to Australia with its population of about 14 000 000. Earnings of foreign currency from tourism amounted to $A530 000 000, which is equivalent to about 15 per cent of Eire's total export income. In the Irish Tourist Board marketing plan for 1981-85 it was estimated that the number of tourists, excluding those from Ulster, would rise in the present year by about 60 000 to 1 760 000. However, the advent of the hunger strikes in the H block of Maze Prison and the attacks on British soldiers have had a devastating effect upon the number of British tourists coming to Eire, and it is significant that about 60 per cent of foreign tourists emanate from Britain.

Until 1978 the Irish pound was kept on par with sterling but since then it has been allowed to drop to a discount of about 20 per cent. This increases the cost of fuel, nearly all of which has to be imported, and this adds to the inflationary spiral, which in 1980 rose to over 18 per cent in Eire and was the highest in the E.E.C. countries. To counter this the authorities have been arguing that a devalued Irish pound will cause an influx of tourists. Therefore, the hunger strikes and resulting unrest have come at the worst possible time for the Eirean economy. The new Fine Gael Government clearly would like to see the hunger strikes come to an end forthwith in order to attract British tourists into Eire before the summer season ends. At present they stay away because of the shooting of British soldiers.

The Hon. Frank Blevins: Not for any other reason?

The Hon. D. H. LAIDLAW: They have got their reasons. Despite the adverse effect of political unrest upon tourism, the Irish Tourist Board, a statutory authority, in association with eight regional tourist committees, continues to work hard and effectively to encourage tourism. I think that they are very efficient. It has established codes of standards for the tourist industry, and for 1981 there are separate codes for hotels, guest houses, town and country houses and farm houses, self-catering holiday flats, youth hostels, caravan and camping sites, restaurants, car rentals, coaches, hire cruisers, horse-drawn caravans, sailing and driving schools, gardens, golf clubs, angling boats, entertainment and craft shops. Some sections of these codes carry legal sanction but, for the most part, they serve merely as a guide.

The penalty for not conforming is that the provider of the entertainment will not get his name published in the official Irish Tourist Guide put out for the next year. I was impressed by the efforts of the Irish Tourist Board to attract special interest groups such as anglers, horse riders and golfers. I am interested in golf, so let me give examples regarding golf.

The board encourages private clubs to open their courses to tourists, and it has printed a brochure, which was handed to me in Adelaide, listing 181 courses where tourists may play. It shows the conditions and times of play, whether clubs can be hired, and so on. It promotes golf weekends for British tourists within one hour's drive from Dublin Airport. It briefs golf writers and prepares golf features for the overseas sports press. Such is the success of the Irish Tourist Board that, in 1980, 164 000 out of 1 700 000 tourists played golf in Eire.

The Irish courses are no better than, if as good as, those in South Australia. We must remember that the Japanese are obsessed with golf but, because of the scarcity of golf courses in Japan, it is extremely expensive for them to play. I suggest that our tourist authority could attract many Japanese tourists by arranging package golf tours in South Australia and ensuring that private clubs make time available when their courses are open.

The Hon. J. E. Dunford: They'll never have them at Kooyonga.

The Hon. D. H. LAIDLAW: Yes, they will. The honourable member does not look sufficiently like a Japanese person, about whom I am speaking.

The Irish Tourist Board is very active in encouraging farmers and other house owners to offer bed and breakfast accommodation for tourists. Very often, dinner is offered as well. Interest-free or low-interest loans are available to small householders so that they can improve facilities, such as modernising bathrooms, buying deep freezers, and so on. These loans can be called up if the owners fail to maintain an acceptable standard.

In 1980, an official brochure listed 1 848 farm houses and town and country homes that offered such accommodation to visitors. This exercise is important, as it brings private individuals more into contact with tourists, provides many retired people with some extra income, and helps to overcome the antipathy of locals towards foreigners.

Later, in Scotland, I heard a talk on tourism on the B.B.C., when the speaker stressed that, whereas in Ireland the bed and breakfast trade in private houses had been developed highly, efforts in Scotland in this regard had been sadly lacking.

The board, by law, prescribes that any hotel or provider of accommodation who seeks official listing in tourist brochures must state the maximum tariff to be charged for bed and breakfast at the beginning of each year. This must be listed in each room and can be lowered at any time, but not increased.

The board also takes initiatives for a range of community projects to enhance the attractiveness of Eire for the tourist, for example, competitions for tidy towns, tidy districts, traditional shop fronts, and homes and gardens, extending even to post offices and police stations.

In some areas, the Irish may be inefficient. For example, the main roads are bumpy and wind quite unnecessarily. They are using funds from the European Regional Construction Authority to build beautiful new stone walls along the sides of main roads, so perpetuating the innumerable bends in order to maintain the craft of stone masons, instead of relaying the roads with a good base to obviate ripples, and straightening them, as has been done in Scotland. This may maintain the charm of rural Ireland. In contrast, the Irish Tourism Board seems efficient and certainly is trying very hard. I hope that our South Australian tourist authority will take time to learn from the Irish. I conclude my remarks with a few brief comments on Irish politics. I spoke to quite a number of political people.

The Hon. R. C. DeGaris: How many are there in the Parliament? Do you know?

The Hon. D. H. LAIDLAW: I think there are 161 members.

The Hon. R. C. DeGaris: Have they got two Houses?

The Hon. D. H. LAIDLAW: Yes.

The Hon. R. C. DeGaris: What is their population?

The Hon. D. H. LAIDLAW: They have a population of 3 300 000 people. In the Upper House, the Government always has the right to appoint another 11 members, so that they can keep up their numbers. The two largest Parties, the Fianna Fail and Fine Gael, which are both conservative, profess to favour a united Ireland, but they are sufficiently realistic to understand the economic problems of achieving unity. In the current financial year, Britain will spend over $A1.5 billion in bolstering the Ulster economy, excluding the cost of maintaining troops, whilst Eire is expecting a balance of payments deficit of about $A1.3 billion. That makes a total deficit of $A2.8 billion and, realising that Eire's export income is less than $A3 billion, one sees that the problem is overwhelming.

After reading reports in the Australian press of the political situation, I came to believe that, if the U.K. Government did forsake Ulster, the Protestants there would be swamped and discriminated against by the Roman Catholic majority in the south. Undoubtedly, the majority of Protestants in Ulster think that this will happen, but it needs to be stressed that the small Protestant minority in Eire have fared quite well.

There are about 200 000 Protestants, or slightly over 5 per cent of the population, living in Eire. Since partition in 1922, two Protestants have been elected as President, and Protestants hold strong positions in the law, accountancy, banking and in the brewing and confectionery industries.

The Hon. Frank Blevins: How many Protestants are members of the Parliament in Dublin?

The Hon. D. H. LAIDLAW: There are some, but I do not know how many. I make the point that the Protestants are able to survive and prosper in Southern Ireland.

The Hon. J. C. Burdett: What about the position of Roman Catholics in Ulster? What was your assessment of that?

The Hon. D. H. LAIDLAW: Extreme antagonism between Protestants and Catholics. You have a situation in Dublin where there is only one cathedral, which happens to be a Church of Ireland or Anglican cathedral. One problem is that Cardinal O'Fiaich, who is the Primate of Ireland, has his cathedral on a hill in County Armagh, which is in Ulster, whilst the Anglican Archbishop has his cathedral on a hill, and they keep looking at each other. The archdiocese of Cardinal O'Fiaich covers Dublin and its surroundings with its 1 000 000 residents, and his diocese is in two countries. It seems that the extreme antagonism that exists in the north (as far as I can see, after talking to people there) is not evident in Eire.

Finally, I wish to refer to the Australian film industry. Years ago during trips overseas people would refer to the dominance of Australian tennis players, cricketers, swimmers or golfers. Wherever I went on this tour in North America or the British Isles people kept remarking that the only films worth watching were Australian films, namely, *Breaker Morant, Age of Consent, My Brilliant Career, Storm Boy* and *Picnic at Hanging Rock.*

Perhaps in time to come the South Australian tourist authorities will be organising tours to Burra to see the scenes where *Breaker Morant* was filmed or to the Coorong to find a pelican like the one featured in *Storm Boy.* It seems to me that the South Australian Film Corporation may in time become a tourist attraction, and that is one more reason to support the corporation. I trust that the Minister of Tourism will treat as constructive any suggestions regarding tourist promotion in this State. I have pleasure in supporting the adoption of the Address in Reply.

The Hon. B. A. CHATTERTON: I support the motion. I was very glad that the Governor's Speech continued the traditional weather report and summary of production trends in agriculture. I was very disappointed that, apart from that, the Government had nothing to say about the problems that are facing agriculture in this State at the moment, because there is certainly no lack of problems in that area. We have a situation at present where growers in the Virginia and Angle Vale area are struggling to improve the marketing of their fruit and vegetables. They are seeking reform in the marketing system which would certainly require the Government to implement legislative changes. There was no mention or even any recognition of this in the Governor's Speech.

Over the last few years we have seen a situation develop where the Commonwealth has drastically reduced funds for agricultural programmes such as the Rural Adjustment

Scheme, and the whole future of that scheme is now in jeopardy. The Government does not seem to recognise this, and it does not seem to be taking any action at all. There are many other areas where there are very severe problems to which the Government should be addressing itself, but it obviously does not even recognise the fact that problems exist.

This attitude of complacency towards agricultural problems was reinforced in a document given to me by a member of the Liberal Party which tried to demonstrate how successful the Government's agricultural policy had been. I think the document, which is dated July 1981, was prepared for a seminar held among Liberal Party members of Parliament, and it is headed 'Achievements in Agriculture and Forestry. A report by the Minister of Agriculture and Forests.' It is interesting to quote a couple of items from that particular document which demonstrate the incredible complacency that I have just mentioned. I point out that the items referred to in the document are Liberal Party policies. Item 26 states:

> Continue the work being undertaken to control the alfalfa aphids and other like pests. A vigorous programme of expansion will be undertaken in the breeding of lucerne cultivars with the object of developing and multiplying the seed of immune varieties.

The Minister of Agriculture then comments:

> Though the Aphid Task Force was wound-up in June 1980, when its three-year funding period expired, work is continuing on the control of pasture aphids, particularly in the breeding of immune lucerne varieties.

Most people in the rural community are well aware that the whole programme has been run down. The smugness of the Minister of Agriculture in relation to this very important area of agricultural activity is reminiscent of that classic reply that the Minister of Agriculture gave to a question that I asked him about how he would implement Liberal Party policies on liquid fuel. His reply was to tell the rural community that the Liberal Party had a policy on liquid fuel. It is also worth quoting item 27, which applies to the wine industry. It states:

> Encourage the development of new products and new techniques to assist in the local and export marketing of grapes.

The comment provided by the Minister on this item is as follows:

> This is being achieved by the Department through its Plant Industry and Economics Divisions. The major industry thrust in new products is non-alcoholic or low-alcohol wines. There is considerable overseas interest in these products. New South Wales vintners have achieved some penetration of the United States market with low-alcohol wines.

I am very puzzled that the New South Wales vintners seem to be getting some assistance from the South Australian Minister of Agriculture. Strangely, it is also inconsistent with the Premier's threats to cut off gas supplies to that particular State. Perhaps the assistance that the Minister provided to the New South Wales people was much more subtle than that. In fact, the Minister has abolished the Marketing Development Section of the Department of Agriculture. Perhaps those people now work for the New South Wales department, and that could be why they are being successful in this new market development in the United States.

Many of the Minister's policy decisions are not mentioned in this particular document. Some of those decisions have contributed very adversely to the State's economy. I would like to mention two of his policy decisions regarding the overseas projects area, which I had an opportunity to see in Tunisia and Algeria. One of the contributions that the Minister has made to that area is that he will place much greater emphasis on the commercial aspects of overseas projects. Overseas projects have always been expected to pay their way. However, now that the Minister of Agriculture has adopted what I term a super commercial approach, he is going to charge the Tunisian Government for looking at the project and for putting in a tender. Normal commercial practice is that one takes the risks and takes the profits. However, the Minister wants to take the profits but not any of the risks. He wants to be paid for looking at the project. After talking with the Tunisians, I expect that they will probably pay the South Australian Government to look at this project. However, I think it is bad that we are acquiring a reputation in that particular region for being sharp operators, especially if we continue to adopt this approach.

The second major contribution that the Minister has made to the area of overseas projects is to abolish the capacity of the Overseas Projects Division to translate and interpret in French and Arabic. That was one of his very early decisions. The Minister said it was not necessary, that they did not need such a basic capacity. This has been an important reason for the failure of the first proposal that the State Government put to the Tunisian Government for a project on medic development.

It was obvious that the team sent to Tunisia to develop the project, to consider its feasibility, had a great lack of background knowledge. That background knowledge could have been acquired only if the Overseas Projects Division had translated documents from French that were with the Tunisian Government. The result of that lack of background knowledge meant that the proposals that were put to the Tunisian Government were irrelevant. They ignored the very valuable work done by John Doolette and the Tunisian Ministry of Agriculture and Agrarian Reform. The work was conducted on medic development over the past seven years.

One senior Tunisian official described the proposal of the South Australian Government as being timid. I am sure that if the team had had a good back-up facility, adequate resources in terms of translation, it would have been able to study the documents which were available in Tunisia but which were written in French. The team would have had a better idea of the scope of the Tunisian Government's plans for development of agriculture in that country. It is a great pity that the efforts of that team were wasted because of these inadequate resources. The Minister of Agriculture has got a proposal—the one I was discussing earlier for which he is going to charge the Tunisian Government for looking at the proposal—and I feel it is unfortunate that there is obviously a lack of knowledge within the department about the Tunisian scene.

This proposal does not have adequate financial backing at the present time. If the Minister and his department were more aware of what was going on in Tunisia, they would realise that there are a number of other proposals in which we could become involved which have already been funded by world agricultural development agencies. The World Bank has put large amounts of money into agricultural development in Tunisia. Much of this is in areas which are similar to South Australia, and it is surprising that we are not trying to get involved in some of those projects rather than looking at a project where the funding is somewhat uncertain, to say the least.

It is also a great pity that the Minister of Agriculture has made the area of overseas projects something of a political hot potato. In the early days of this Government I hoped that there would be something of a bipartisan approach to overseas projects and development. They have great potential to improve the well-being of South Australia, and I believe that both Parties should be working toward that aim. It seems that the Minister of Agriculture briefly thought that a bipartisan approach might be in his interests. Before I left on this study tour of North Africa I was

offered a brief by the Minister on the Government's involvement in Tunisia and Algeria. The Minister and his Director-General told me of the development of the proposals that they had before the various Governments, and they also asked me whether I could find out what was the attitude of Tunisian and Algerian officials to these proposals.

I was well aware that there was no official position as far as the Government was concerned, and if they had offered one to me I would certainly have refused it, but they did want to find out what was going on in those countries. Therefore, I was somewhat surprised that the day after I arrived in Tunisia the Minister of Agriculture sent an extraordinary telex to the Tunisian Minister of Agriculture and Agrarian Reform that was intended to undermine my visit. That telex claimed that I had no official standing whatsoever, when of course I was a member of the Opposition legitimately studying the opportunities for South Australian Government and industry involvement in North Africa. Fortunately, the telex was ignored by the Tunisians. In fact, it was treated with contempt, as an insult to their intelligence. The telex presumed that they had no knowledge whatever of our system of Government, that they had no knowledge of the role of the Opposition or its official standing.

The sending of such a telex to a Government overseas is quite an unprecedented act as far as I am aware by any Minister in this State. Normally the Premier provides introductions to all members of Parliament and tries to assist them when they are studying overseas. Anyway, the actions of the Minister in sending that telex have completely undermined any hope that he might have had of developing a bipartisan approach to overseas projects and development. As I said, that is unfortunate.

With the Algerian project, it is surprising that the Minister of Agriculture is already spreading rumours to try and undermine the project. It has been reported to me that he has addressed meetings in South Australia to the effect that he is expecting the project in Algeria to fail. There is no reason whatsoever for the failure of that project if it is properly managed. I would like to point out that the management of the project has been the sole responsibility of this LiberalGovernment. The original contract that was signed by the then Acting Labor Premier (Hon. J. D. Corcoran) provided that the project should have made a slight profit.

I am sure that that slight profit has been lost through sloppy financial control. Now the Minister seems to consider that a bit of cheap political point-scoring (by that I mean blaming the previous Government for the contract) is more important to him than running the project well and getting the next contract to develop 800 000 hectares of the Algerian steppe. That contract for the development of 800 000 hectares would provide many jobs and export orders which South Australia urgently needs.

From my own personal experience I know that the Algerian Government has much goodwill towards South Australia. I know that that Government is working hard towards the success of its Ksar Chellala project and is devoting considerable resources to do it. If it fails, it will be the fault of the South Australian Government, in particular, and its inability to mount a competent management of the team in Algeria.

The consequence of such a failure would rebound very adversely on our reputation throughout the region, and that reputation is not only in the provision of technology to this country but also in many other areas of trade. The goodwill extended towards South Australia because of its involvement would be destroyed and I am sure that, if that goodwill were to evaporate because of the failure of the project, the whole of our trade to that region would be adversely affected.

The paranoia of the Minister of Agriculture (I think that is the only way one can describe it) about my continued involvement in overseas projects extends to the whole Cabinet in this State. A few days ago, that Minister circulated an account of the trip he made last year. I think it was circulated to all members. Certainly, I received a copy. This particular report was a new and edited version of the report. The first report had been prepared by the Director-General of Agriculture and was rejected by Cabinet because my name appeared in it twice. Paragraph 5.3 on page 18 of the draft report states:

> Initial contact with the Tunisian Government was made when the previous Minister, Mr Brian Chatterton, visited in early 1979. Appendix 5 provides details of a joint communique issued at the end of that visit which establishes a basis for our relationship with Tunisia.
>
> Following this visit, two officers from the Department of Agriculture went to Tunisia in November/December, 1979 and developed a proposal to establish a pilot demonstration farm. This proposal was submitted to the Tunisians in mid-1980. The Tunisians indicated interest in the proposal, but there seem to have been some misconceptions concerning the source of funds for the project.

Cabinet objected to that paragraph and we see the following paragraph 5.3 on page 18 in the final version of the report:

> Initial contact with the Tunisian Government was made in early 1979 when the previous Minister visited the country. A basis for our relationship with Tunisia was established in a joint communique issued at the conclusion of that visit.

The report goes on to say that two officers from the Department of Agriculture went to Tunisia. My name has been removed from the paragraph. Also, appendix 5, which gave that communique, has been removed from the report, and the whole episode seems to me to be an incredible situation. I am staggered at the fact that the Cabinet of this State should take time off from the urgent affairs of State to concern itself with such trivia. If the Government had left the report alone, I doubt that anyone would have read as far as page 18, let alone read appendix 5. However,in the manner adopted in Stalinist Russia, Cabinet is determined to rewrite history.

It was with great interest that I heard the very confident promises in the Governor's Speech that the A.P.M. T.M.P. plant at Snuggery would proceed. I am glad that the Government is so confident about this new proposal, but there are certainly some problems that have to be overcome. First, A.P.M. still has to find secure overseas markets for the pulp produced from the plant. It has been discussing the matter with manufacturers in Taiwan and with the two Japanese paper companies, Oji and Sumitomo, but the market certainly has not been tied up at this stage. Further, A.P.M. is still seeking an overseas partner for 40 per cent equity in the new plant. They are at present a little embarrassed by the fact that the Foreign Investment Review Board has already given a recommendation and A.P.M. would like greater flexibility.

The electricity supplies for the proposed plant at Snuggery are certainly not assured. The Electricity Trust of South Australia is concerned that it will not be able to provide the amount of power, even if an immediate decision was taken to invest $40 000 000 in a new power line. The trust is looking to 1986 for the provision of power. One of the trust's reports states:

> It is doubtful whether such a line could be built within the required time even adopting a 'crash' programme but every effort would be made to achieve the programme if this project eventuates. The total cost of the line and associated substation works including escalation is estimated to be approximately $40 million.

In other words, the trust is suggesting that, even if there was a crash programme, it still may not be able to provide sufficient power until 1986. The delays in the utilisation of

the thinnings from the forest are certainly causing a great deal of concern to the people who have responsibility for the management of our forest area. The Assistant Director of Forest Operations is particularly concerned about the effect that the delayed thinning is having on future saw log production. It is worth quoting the warning that the Assistant Director has given, because it is of a great deal of importance to our forest industry. The report states:

Warning: Too much of that thinning is already too late to avert some drop in the future sawlog sizes.

Much of that lateness is due to with-holding growing stock, pending advent of pulpwood industry. We waited for Apcel, then its fourth machine, then Punwood, and now 3 years more for something else; all undermining the sawlog objective for the less than 2% of our revenue which pulpwood ever earned.

The state of the standing forest from which future Departmental sawlog supply must come is at this stage near to incapable of meeting that supply at present standards to any effective degree.

If rescue thinning is not promoted and pursued in priority over other considerations, its remedial effects will plummet.

The effect is already in process. In three years, it will be disastrous.

Opportunity

The demise of the Punwood project has provided the opportunity.

At 230 000 per year the extant smallwood backlag and its increment will carry the requisite additional pulpwood supply until increase in normal yield due to larger planted areas takes over; I believe with some to spare.

That being so, the policy of holding growing stock for expected pulpwood supply will stand bending. With the future sawlog objective in jeopardy, a low probability of a future and temporary deficiency in pulpwood sizes (not supply per se) is a minor risk to take.

To that end, thinning for logs should be reviewed right now to operate to the maximum practicable in the three priority areas for future sawlog supply spelt out as Rule 2 above, viz.:

(i) 1946-1961, especially the spindle stands,
(ii) 1962-1968, regardless of site quality, and
(iii) 1969 onwards on time, higher site qualities first,

if necessary regardless of waste and

to any extent necessary at lesser harvesting economics.

I suggest that that report is very strongly worded in terms of normal language used in the Public Service. To say that in three years time the effect on the forests will be disastrous is very strong language asfar as public servants are concerned. The report on the impact of forest management highlights the fact that this whole project has been an example of very hasty decision making on the part of the Premier and the Minister of Forests. That hasty decision made back in the early months of 1980 has locked the State into a course of action that is now justified mainly on the grounds that to do anything else would cause them political embarrassment. It is obvious from the report of the Assistant Director that the original wood chip project which shifted very large volumes of forest thinnings very quickly would have been the best as far as forest management was concerned. The jobs that were provided by such a wood chip project amounted to more than half of those expected to be provided some time in 1985 or 1986 by the proposed T.M.P. plant. We may have some additional employment but, if the Assistant Director's predictions are correct and the saw log production of the State falls, we could lose jobs that already exist in the saw mills and in the further processing of the timber from the State forests.

The decision that should be taken is to cut the surplus thinnings to waste immediately now that there is no hope of any export of these thinnings through a wood chip project, but unfortunately it is unlikely that the Minister will take such bold action because it would be an admission that he had bungled the whole programme of the utilisation of forest thinnings.

Finally, I would like to turn to the announcement in the Governor's Speech that the Government intends to introduce a new Fisheries Act. I am very pleased that the Government has taken this course of action because, even though the existing Act is only 10 years old, it does reflect the early days of fisheries management, and the pace of change in fisheries management has been very great indeed. I accept the fact that a new Fisheries Act is needed. However, I doubt whether a new Fisheries Act will be possible unless the Premier intervenes and gives the Minister of Fisheries some real authority in the area of fisheries policy.

Currently we have a shambles where the Minister of Agriculture works actively behind the scenes to undermine the decisions of the Minister of Fisheries and in some cases even the decisions of State Cabinet.

The Hon. C. J. Sumner: What about Ministerial and Cabinet loyalties?

The Hon. B. A. CHATTERTON: They do not seem to count for anything. In fact, his activities are causing a great deal of concern in the fishing industry. We have at the moment a major scandal over the Government's handling of the Investigator Strait prawn fishery. The background of this problem goes back to 1975 when Ministerial permits were first issued for that fishery in Investigator Strait. At that time the research work of the Department of Agriculture and Fisheries indicated that the major source of recruitment of prawns for the St Vincent Gulf fishery came from the north of the gulf and not from Investigator Strait. Now we have new research work and this has been shown in the catches that have been obtained in St Vincent Gulf.

We have this new work which shows that a great number of the prawns in fact come from Kangaroo Island and Investigator Strait. The fishing in that strait has cut off the recruitment to the gulf and is in the process of destroying that fishery. The Minister of Fisheries and the Minister of Primary Industry inCanberra accepted this research and accepted that action was needed and that the breeding grounds for prawns off Kangaroo Island in the American River/Kingscote area would have to be closed to fishing if the fishery in the St Vincent Gulf area was to survive.

That was personally acceptable to both those Ministers when agreement was reached. However, it did not satisfy the Minister of Agriculture. He worked with his local member, Mr Porter, on Mr Nixon to change that decision. The motivation for that course of action came from Mr Nigel Buick of Kangaroo Island. Mr Buick said quite publicly at a fishermen's meeting that he had put his hands deep into his pocket for the Liberal Party and he would be demanding that the decision be reversed. Now we have complete turmoil in the industry where the interestsof the fishing industry are being perverted by just one Minister who has his eyes on his next election campaign. We have had all this dispute and scandal over a simple matter of a policy decision. I cannot imagine how Cabinet, the Minister of Fisheries and the Minister of Agriculture are going to resolve a complex problem such as a new Fisheries Act. I support the motion.

The Hon. R. J. RITSON secured the adjournment of the debate.

ADJOURNMENT

At 5.58 p.m. the Council adjourned until Thursday 23 July at 2.15 p.m.