LEGISLATIVE COUNCIL

Wednesday 23 September 1981

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

QUESTIONS

MANUFACTURING DIRECTORY

The Hon. B. A. CHATTERTON: I seek leave to make a short explanation before directing a question to the Minister of Community Welfare, representing the Minister of Industrial Affairs, regarding the manufacturing directory for 1981.

Leave granted.

The Hon. B. A. CHATTERTON: Earlier this year the Minister of Industrial Affairs put out a directory titled *South Australia—Manufacturing Industry Directory 1981*, and the purpose of that directory, as stated by the Minister in the opening foreword, is to assist local manufacturers in the promotion of their products and services, to act as a useful reference document, to assist intending buyers locate appropriate South Australian suppliers, and to act as a guide to businessmen considering an investment in this State. I was interested to look through the directory under the heading 'Logs, Sawmilling and Dressed Timber', and I perused the list of people who are suppliers of those products. I was very surprised to find that the South Australian Woods and Forests Department, which surely must be the largest supplier of logs and sawn and dressed timber in the State, was not listed. I ask the Minister whether this was a policy decision on the part of the Minister of Industrial Affairs to discourage the successful increase in activity by a very successful public enterprise. I also ask whether any other promotional materials produced by the Minister's department exclude the relevant State enterprises and, if they do, which enterprises have been excluded.

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

MEDICAL BOARD

The Hon. J. R. CORNWALL: I seek leave to make a short explanation before directing a question to the Minister of Community Welfare, representing the Minister of Health, regarding the Medical Board of South Australia.

Leave granted.

The Hon. J. R. CORNWALL: Yesterday I was approached by Mr Barry Hughes, of Paralowie, with a complaint against the Medical Board of South Australia. I may point out that it was not the Barry Hughes who is the wellknown economist, but another gentleman of the same name. I will give the history of the matter briefly. On the morning of 6 June, Mr Hughes called the locum service at approximately 2 a.m. to have a doctor provided to examine his three-year-old daughter. At 2.30 a.m. the doctor from the locum service arrived. According to Mr Hughes, his daughter was complaining of a sore throat and finding it difficult to breathe. The doctor examined the patient and prescribed an antibiotic, amoxil, to be given by mouth, and also brondecon expectorant. Shortly after the doctor left, the little girl vomited the medication. Mr Hughes claims that at the time of examination his daughter's 'face was pale and drawn and her mouth was blue'. He also claims that his daughter was experiencing considerable difficulty in breathing. About 90 minutes after the doctor's visit, Mr and Mrs Hughes rushed their daughter to the Lyell McEwin Hospital for emergency treatment in casualty.

The daughter was intubated in casualty—in other words, a tube was inserted in her airway to enable her to breath. Mr Hughes claims that one of the attending doctors told him that if this had not been done as an emergency procedure his daughter would have died from asphyxiation. The patient was then transferred to the Adelaide Children's Hospital by ambulance. A doctor accompanied her on the journey. She was treated as an in-patient at the Adelaide Children's Hospital for several days for what I believe was diagnosed as epiglottitis, which is an inflammation and swelling of the epiglottis. I understand that the trachea tube was left in position for at least 48 hours.

Mr Hughes is extremely upset that the potential seriousness of his daughter's condition was not detected by the doctor from the locum service. Indeed, he claims that his daughter almost lost her young life because of the incompetence and negligence of the doctor from the locum service. I point out that I am not making any judgment on this matter whatsoever. It would be entirely wrong and completely improper for me to do so. What concerns Mr Hughes is the apparently cavalier and superficial manner in which his subsequent complaint to the Medical Board was handled.

On 5 July Mr Hughes complained in writing to the Medical Board. This was acknowledged by the Registrar on 13 August. The board wrote to the doctor concerned on 22 July, and on 14 August the doctor replied to the board as follows:

> I attended to Miss Vanessa Hughes at 10 Tolley Cl., Paralowie, on 7 June 1981. Her chief complaints, according to her parents, were sore throat and coughing. Clinically, the patient is febrile and has a cough. Her lungs were clear clinically. Some throat noises were heard. Significant negative findings were the absence of stridor and low coatal retraction during inspiration.
>
> My opinion then was that the patient was having upper respiratory tract infection. It was not a quick visit as Mr Hughes suggested. I spent ample time to satisfy myself that there was no respiratory tract obstruction or any other serious complications. The problems that Mr Hughes mentioned were not evident during my visit. I prescribed amoxil and brondecon expectorant and advised postural drainage.

There is no apparent evidence that any other information was sought by the Medical Board. There is no indication whatsoever that board members tried to obtain verbal evidence from the doctor concerned or from the other doctors involved at the Lyell McEwin or Adelaide Children's Hospital. Certainly, no opportunity was given to Mr Hughes to present verbal evidence to the board: it seems that there was simply an exchange of letters.

As a result of what appears to have been an extraordinarily scant and flimsy investigation, the board wrote to Mr Hughes again, on 9 September, as follows:

> Re: Letter of complaint against Dr . The board has now had the opportunity of considering your letter of complaint in regard to the abovementioned subject. I wish to inform you that the board is of the opinion that the matter does not constitute a breach of the Medical Practitioners Act and it will therefore not be pursuing the matter further. Please find enclosed a copy of the reply to your complaint from Dr .

Mr Hughes is outraged about the manner in which his case was handled. I understand that he has taken the matter to the Minister of Health, who is having evidence compiled from several sources, including doctors from both hospitals. Is the Minister aware that there is widespread concern in the community that the Medical Board is not exercising its powers and functions under the Act? Will the Minister establish a judicial inquiry to investigate specifically the evidence and the manner in which the Medical Board handled Mr Hughes's complaint? Will the Minister give serious consideration to amending the Act to reconstitute the Medical Board? Will she ensure that in any reconsti-

tution the rights of patients as well as the rights of doctors are protected? Will she take appropriate steps to ensure that Mr Hughes has access to his daughter's medical records at the Lyell McEwin Hospital and the Adelaide Children's Hospital?

The Hon. J. C. BURDETT: The honourable member's statement that the Minister is aware of these allegations is correct. The allegations have been made to the Minister, and she is already investigating them. I shall refer the specific questions to the Minister and bring back a reply.

JOHNSON GROUP OF COMPANIES

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister of Corporate Affairs a question about the Johnson group of companies.

Leave granted.

The Hon. C. J. SUMNER: On previous occasions I have raised the question of the failed development and construction group, the Johnson Property group, whose principal was Mr Bruce Johnson, a Norwood football identity. The Norwood Football Club had invested in a joint project with the Johnson group at the Windsor Park Shopping Centre, Windsor Gardens.

It was estimated that the group went into liquidation owing more than $500 000 to trade creditors. I have now received further disturbing information about the winding up of these companies. In the five months since the company went into liquidation, there has been no creditors' meeting. Many small creditors are experiencing considerable difficulty and believe that more action is required by the liquidator, Craddock and Company, and the Corporate Affairs Commission.

Further, it has been alleged to me that Mr Bruce A. Johnson is now investing large amounts of money on the Gold Coast in Queensland, that he owns a farm at Tintinara valued at $350 000 and has a residence on Kensington Road worth $150 000. Further, I have been advised that Mr Johnson plans to move to Queensland in December with his family and that his son is already employed there with a real estate firm.

If this is true, it again highlights the problem I raised last week of the principals of companies siphoning off assets from a company, getting the benefit of the corporate shield and then recommencing business with another company, while creditors are left to sing for their money. I have also been advised that the amount invested by the Norwood Football Club has, in fact, been recovered, despite the fact that creditors have not received any payment. This should be investigated.

First, is the Attorney-General aware that, even though I have asked three previous questions on this matter, no creditors' meeting has been held by the liquidators of the Johnson Property Group, which went into receivership in May this year? Secondly, is the Attorney-General aware that many small creditors, including a signwriter believed to be owed $8 000, are experiencing very great difficulties as a result of inaction by the liquidator, Craddock and Company of Kent Town, and the Corporate Affairs Commission?

Thirdly, is the Attorney-General aware that the principal of the failed company, Mr Bruce A. Johnson, is investing large amounts of money on the Gold Coast in Queensland? Is he also aware that Mr Johnson stills owns a farm at Tintinara which is conservatively estimated to be valued at over $350 000 and a residence on Kensington Road estimated to be worth at least $150 000? Furthermore, is the Attorney aware that Mr Johnson plans to move to Queensland in December of this year with his family, and that a son is already employed there with a realty company?

The Hon. K. T. GRIFFIN: Many of these matters need to be referred to the Corporate Affairs Commission, which is actively pursuing the questions that the honourable member has raised on previous occasions. I will refer the question to the commission and bring back a reply. If the honourable member has more specific information (and it appears from the nature of the questions he has asked that he does have that information), I should appreciate receiving it from him so that that information can be forwarded to the commission with the honourable member's question.

CORPORATE AFFAIRS COMMISSION

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before asking the Minister of Corporate Affairs a question regarding Corporate Affairs Commission inquiries.

Leave granted.

The Hon. C. J. SUMNER: I have received some complaints recently about delays in completing inquiries undertaken by the Corporate Affairs Commission. Recent matters which have been referred to the commission and mentioned in Parliament include the Johnson group of companies, High Cos Constructions (involving Mr George Karounas), and McLeay Bros Pty Ltd.

The Hon. B. A. Chatterton: As well as Vindana.

The Hon. C. J. SUMNER: Indeed, Vindana, as well as Wirrina, the holiday resort on the south coast. However, other inquiries are outstanding; for example, into the Elders-G.M. take-over bid and the Kallins companies. The inquiry into the Swan Shepherd Group was announced on 17 April 1980, nearly 18 months ago. The Attorney has advised me that it will be some time before it is completed. I believe that an inquiry into Mallards was commenced in 1978. It is most unsatisfactory for the public and in particular creditors that these inquiries are taking so long. As the Hon. Mr Chatterton pointed out, there is also the inquiry into Vindana, which I believe was ordered probably over 12 months ago.

There are no doubt other inquiries which are proceeding. Details of these should be made known to Parliament. I have placed a question on notice seeking that information. The delays raise the question of whether the Corporate Affairs Commission is adequately staffed to enable it to carry out its task.

First, will the Attorney-General advise the Council of the position in relation to the inquiries mentioned by me and in particular Elders, Kallins, Mallards, Swan Shepherd, and Vindana? Secondly, in view of the considerable delays, will the Attorney-General ascertain whether additional staff are required in the Corporate Affairs Commission, or whether additional special investigators should be appointed from outside the commission?

The Hon. K. T. GRIFFIN: It is obvious that, although the Leader is a lawyer, he did not practise in the commercial arena. Had he done so, the Leader would have recognised how complex these sorts of investigation are. Swan Shepherd does not involve an investigation where one can walk in the door, find all the facts, collate the information, and bring back a report within a matter of months; nor, for that matter, is the Kallins special investigation, which has required extensive investigation beyond South Australia.

The Hon. C. J. Sumner: Put a few more people on the job. Appoint a special investigator!

The Hon. K. T. GRIFFIN: In relation to Elders, there is a special investigator, namely, Mr Von Doussa, Q.C., who is working at a very fast pace to bring the matter to

conclusion. Mr Von Doussa's task involves detailed investigations not only in South Australia but also outside South Australia. The Leader of the Opposition ought to realise that to properly investigate these sorts of company difficulties it is not a matter of walking in the door and collecting all the facts. I am satisfied that the special investigations in connection with Kallins and Swan Shepherd are progressing as fast as the available information will allow. I am not unhappy about the staffing within the Corporate Affairs Commission. Of course, if one appointed another 100 investigators one could undertake the functions of the Corporate Affairs Commission much more quickly than with the present complement. However, one has to balance that against the other priorities within the Corporate Affairs Commission and within Government.

I am satisfied that these investigations are being dealt with diligently, conscientiously and responsibly by investigators and by the Corporate Affairs Commission. So far as the Johnson group of companies, High Cos constructions, and Vindana are concerned, they are matters which (apart from Vindana) have only recently been referred to the Corporate Affairs Commission. I assure the Leader that, when I have some detailed responses, I will be in a position to give an answer.

PAP SMEARS

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

Leave granted.

The Hon. ANNE LEVY: With the introduction of the new health scheme on 1 September, people below a certain income level are eligible for the health card issued by social security, and all those who are not so covered have to take out health insurance. Many people fall just outside the eligibility for a health card and will experience serious financial difficulties in either paying for medical attention or taking out insurance. The Chairman of the Health Commission, along with many other people, has advised many of these people to take out hospital insurance only and not to spend money that they cannot afford on taking out medical insurance. They can then get all their hospital and medical care through the outpatients section of public hospitals in this State, and their hospital insurance will then cover these services.

However, it has come to my attention that a number of women in this category have been to several of our public hospitals in this State requesting a Papanicolaou smear, which is a test done to detect the early stages of cervical cancer and a test which is strongly recommended for all women to have at intervals of two to three years when they are young and more frequently when they get older. At our public hospitals these women who are requesting a Pap smear are being told that they cannot have a Pap smear done at the hospital without first being referred by a general practitioner.

Without having medical insurance, which, of course, the people concerned cannot afford, they still have to go to a general practitioner. They will have to meet the full cost of a visit to the general practitioner, which is of the order of $10, to be referred to the hospital to have their Pap smears. Of course, there is the added risk that the general practitioner will himself take the smear and send it to a private pathology laboratory for analysis, so they will then have to pay the cost of not only the visit to the doctor but also the pathology examination, all without their having any medical insurance.

The Minister of Health has often stated that prevention is better than cure, with which I am sure we all agree, and a very important part of prevention—in this case, early diagnosis of cervical cancer—is to have regular Pap smears, and those women who have 'hospital only' insurance, one can readily see, will not be having their regular Pap smears if to obtain them requires their going to a general practitioner in the first place instead of obtaining a Pap smear at a public hospital when they are obtaining their other medical requirements at our public hospitals.

I ask the Minister whether she would please see that Pap smears are available at public hospitals without prior referral by a general practitioner, particularly for people who have 'hospital only' insurance and not medical insurance, as without this availability many women will miss out on having these highly desirable and strongly recommended regular tests.

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

SQUATTING

The Hon. K. L. MILNE: I seek leave to make a brief statement before directing a series of questions to the Attorney-General on the matter of squatters and squatting.

Leave granted.

The Hon. K. L. MILNE: I understand that there are more than 200 houses in the city and suburbs belonging to the Government or to private individuals that are occupied by people calling themselves squatters. Unfortunately, with the economic situation and unemployment like they are, this was surely likely to happen. Normally, people using other people's houses without permission would be termed trespassers, but apparently the law is deficient and the police find great difficulty in dealing with the squatters' programme. The Homeless Persons Housing Group of the Unemployed Workers Union has produced a *Squatter's Manual*, from which I quote from page 1, as follows:

> For homeless people, squatting is an alternative to homelessness. There is a housing shortage in Adelaide. There are many people who cannot afford exorbitant bond moneys and rents. There are empty houses wasting and deteriorating. Squatting matches this shelter need with this housing resource. People find homes, empty houses are used and maintained.

This sounds all very well in its way, but the person referring this matter to me, and whose house was used by squatters, would not agree that his house was maintained and cared for. In fact, it was vandalised with graffiti and excreta in all rooms, and by drunken parties and accumulation of rubbish. I now quote from page 2 of the manual, as follows:

> Aims of the Homeless Persons Housing Group:
>
> 1. To house people who have found it impossible to find houses through other existing channels.
> 2. To identify and provide usable houses to gather information on the numbers of long-term empty houses in the metropolitan area.
> 3. To aid squatters to renovate, repair and maintain vacant houses through a labour and resource pool.
> 4. To liaise with the owners to support squatters in their actions and to ensure their security of residence.
> 5. To mobilise support for squatters through the media, especially for those whose security is in jeopardy.
> 6. To help squatters make contact with each other for mutual support.

Again, this sounds all very well, but it seems a great pity that it has to be done illegally and that there is no solution acceptable to the general public. Apparently, the police are not prepared to take action on this matter, and I am sure the Government has one or two cases that it would like to rectify. Page 3 of the *Squatter's Manual* sets out in detail how to find a vacant house and who owns it. It sets out

what information can be obtained from the Land Valuation Office and the Lands Titles Office.

It gives advice on how to handle the questions of water, gas and electricity and what to do if the landlord tries to cut them off. Page 5 gives advice on how to break into anyone's house 'without doing too much damage'. It gives advice that it may be helpful to use a torch or candles as it is often best to get in at night, thus alerting fewer people. When the house has been occupied, the manual then advises people to change the lock and sets out how to do this. The manual goes on to give legal advice and how to behave so as to keep on squatting without committing an office. It is obviously written by a lawyer. It gives advice on how to deal with police. On the last page, the manual states whom to contact for further information in regard to squatting. It quotes a lawyer in the Legal Services Commission, whose name has been blacked out, and another lawyer, Mr Ralph Bleechmore, of Waye and Associates, 75 Angas Street, Adelaide. I would like to table the manual and seek leave to do so.

Leave granted.

The Hon. K. L. MILNE: My questions to the Attorney-General are as follows:

1. What is the Government's attitude to this form of trespassing, which is now called squatting?
2. What is being done to protect the interests of property owners from squatters, and the damage caused by them?
3. How can such people be removed?
4. Is the Attorney-General aware of the document, put out by the Unemployed Workers Union, called the *Squatter's Manual*, to which I have referred?
5. Is the Government aware that the Legal Services Commission is apparently aiding the business of squatting, and does it consider this to be a valid function of such a commission?
6. Does the Government intend to consider this problem and introduce legislation to protect the owners of these properties?
7. If so, what facilities would the Government provide for the people who now find it necessary to go to these lengths to obtain accommodation and shelter?
8. Is the Government prepared to discuss the whole problem with the Unemployed Workers Union in an endeavour to stop this practice?

The Hon. K. T. GRIFFIN: I doubt whether any discussion with the Unemployed Workers Union would result in the cessation of this practice. The Government is concerned about squatting and, in fact, currently has some proposals before it to amend the law to strengthen the rights of owners and the police in respect to the removal of people who are squatting illegally on other people's property. Therefore, the Government is doing something. When decisions have been made I will inform the Council. As far as the Legal Services Commission is concerned, I am surprised that it is giving advice in this context. However, essentially it is a matter for the commission and I will take it up with the commission and get some details.

The Hon. R. J. RITSON: I desire to ask a supplementary question. Given that the material in the journal that the Hon. Mr Milne has just read appears to be inciting and encouraging people to commit criminal offences, does the Attorney-General consider that the publication of that manual may in itself be an offence?

The Hon. K. T. GRIFFIN: I have not seen the manual, but now that the Hon. Mr Milne has tabled it I will have access to a copy. I will certainly consider the matter, but at this stage I am not in a position to make a reply.

The Hon. N. K. FOSTER: I desire to ask a supplementary question. Will the Attorney-General establish a Select Committee of this Council to investigate the position of thousands of homeless people of all ages in this State?

The Hon. K. T. GRIFFIN: That is a ridiculous proposal. The Minister of Housing only today announced initiatives in relation to welfare housing. Likewise, the Minister of Community Welfare has been involved in providing some means by which unemployed and homeless young people can be accommodated. The Government is taking some initiatives and it would seem to me that it is not a matter that can be resolved through a Select Committee.

MR MILLHOUSE

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

The Hon. K. T. Griffin: On what subject?

The Hon. C. J. SUMNER: On Mr Justice Millhouse.

Leave granted.

The Hon. C. J. SUMNER: Yesterday, in another place, the member for Mitcham, Mr Millhouse, revealed in a personal explanation that an approach had been made to him to accept a position on the Local and District Criminal Court bench on one occasion and the Family Court bench on another. Mr Millhouse felt constrained to raise this matter because the Premier apparently said that the rumours about Mr Millhouse's impending appointment to the bench had in fact been started by Mr Millhouse. Naturally, that incensed Mr Millhouse to the extent that he made a personal explanation. I will quote some sections of the letter Mr Millhouse sent to the Premier in which he indicated that he had asked the A.B.C. to keep a copy of a transcript of a radio interview. In part, the letter states:

> A few weeks ago (indeed on Friday 24 July at 4 p.m., according to my diary), Lew Barrett, apparently on behalf of the Government and at the request of Cabinet, came to see me at Bar Chambers to ask if I would consider accepting appointment as a judge of the Local and District Criminal Court.

Mr Millhouse says that he immediately refused that offer. The letter continues:

> You probably also know that I was approached (one such approach being by a Liberal back-bencher in the Legislative Council) to consider appointment to the Family Court.

Mr Millhouse then says that he refused to consider that, too. In reply, the Premier said:

> I cannot comment, other than to say that no approaches were made on behalf of Cabinet.

That does not agree with Mr Lew Barrett's version, because Mr Millhouse then replied to the Premier as follows:

> Since receiving it I have spoken again to Lew Barrett and confirmed with him what occurred. He told me when he came to see me, and has now confirmed it, that after a conference on amendments to the Savings Bank Act at which two members of Cabinet were present one of them said to him, 'How well do you know Robin Millhouse?' The question led to a request to him to approach me to sound me out as to appointment to the Local and District Criminal Court. When he called I certainly gained from him the impression that it was an approach from Cabinet. He said that the Government was anxious to raise the standard of appointments to the court.
>
> He mentioned the accommodation to be available in the Moore's building: he also said that subsequent appointment to the Supreme Court was a matter for the future.

Mr Millhouse also stated that he sent a copy of this letter to Lew Barrett. This morning Mr Barrett apparently telephoned Mr Millhouse to say that the letter was an accurate record except that the Cabinet member concerned spoke to him on the telephone soon after the conference and not at it. This clearly raises a very serious question.

It is obvious from Mr Barrett's statement that a Cabinet member approached Mr Millhouse in relation to a judicial

appointment to the Local and District Criminal Court. Further, on Mr Millhouse's assertion, there was an approach from a Liberal back-bencher in this Council in relation to Mr Millhouse being appointed to the Family Court bench. It is inconceivable that Cabinet members would enter into these negotiations without the knowledge of the Premier or, indeed, the Attorney-General. However, the Premier was able to say that there was no approach on behalf of Cabinet and, in effect, he said that he knew nothing about it. I find that position quite inconceivable. One would obviously expect that, if an approach was made by a Cabinet Minister to Mr Millhouse for an appointment, it was done with the knowledge and concurrence of the Premier and the Attorney-General. I do not think that it can be denied that a Cabinet member initiated an inquiry with Mr Millhouse in relation to an appointment to the bench.

Did Cabinet authorise an approach to be made to Mr Millhouse for a judicial appointment either to the Local and District Criminal Court or the Family Court? If not, did the Attorney-General personally make such an approach or did the Attorney authorise the approaches to Mr Millhouse for such an appointment? If not, will the Attorney immediately undertake inquiries into who made the approaches? Will the Attorney ascertain who was the Liberal member of the Legislative Council who made the approach to Mr Millhouse? Will the Attorney indicate whether that approach was with his or Cabinet's approval?

The Hon. K. T. GRIFFIN: There has been a lot of speculation about Mr Millhouse's future over a number of years. In fact, my recollection is that last year sometime there was a television programme, I believe it was *Nationwide*, in which Mr Millhouse himself was interviewed. Speculation around Parliament House, and I think in the community as well, was that he was keeping the door very much open to a judicial appointment. It was quite obvious from that television interview that he certainly would not rule out the possibility of accepting a judicial appointment. The letter of 17 September from Mr Millhouse to the Premier does not say that any approach to Mr Millhouse was from Cabinet. It stated that, when Mr Barrett called, Mr Millhouse certainly gained the impression that it was an approach from Cabinet.

What prompted all this was that in the middle of September there was an interview by Philip Satchell with the Premier, as a result of which there was a news report to which Mr Millhouse referred in his first letter to the Premier and which, as I understand it, is printed in *Hansard* for the House of Assembly of yesterday. The news report appears to have been wrong because, on checking the transcript of the Philip Satchell show, one sees the following:

Q: While we are speaking about the Democrats, and they are not hypothetical . . . There is a rumour around that Mr Millhouse might be headed for the Judiciary.

A: Yes, I've heard that rumour now for about 2 years. In fact I think it was floated soon after we came to office and I think floated by Mr Millhouse himself. I haven't got any further comment to make on that.

Q: Would you not recommend it?

A: Well, I have no intention of recommending it. No.

If one looks carefully at that transcript, one sees that the original premise on which Mr Millhouse wrote to the Premier is wrong, because the item on the A.B.C. news to which Mr Millhouse refers is inaccurate.

The Hon. C. J. Sumner: That is what Mr Millhouse said in his letter.

The Hon. K. T. GRIFFIN: He did not say precisely that in his letter. The Leader can check *Hansard*.

The ACTING PRESIDENT (Hon. Frank Blevins): Order! The Leader will have an opportunity to ask a supplementary question.

The Hon. K. T. GRIFFIN: The question whether or not any particular person is approached from time to time to accept an offer of judicial office is not a matter that should be canvassed. It has been a tradition that has been maintained by all Attorneys-General that one does not indicate who has been approached, who has not been approached, who has accepted, or who has not accepted. Quite obviously, those who accept become publicly known. I do not believe it is appropriate on this occasion to either confirm or deny that any formal or informal approach was made to Mr Millhouse or any other—

The Hon. C. J. Sumner: Millhouse has already admitted it. He said there was.

The Hon. K. T. GRIFFIN: The Leader asked me a question. I do not believe it is appropriate to speculate on this aspect. When there is a vacancy on the bench, whether in the Supreme Court, the District Court or in some other jurisdiction, obviously all those who are silks would be considered and the most appropriate person would be selected and approached with an offer. When one considers the list of silks and other eminent members of the profession, one takes into account not only legal ability but also other characteristics and background.

I suppose it might be appropriate merely to make some brief comment about Mr Millhouse without casting any reflections at all on him. Essentially, he is a politician. He has been a politician for 25 years: it seems to be very much in his blood. The question is whether he is more a politician than a lawyer. Questions have been raised in another place on several occasions about the extent to which he attends Parliament and performs his Parliamentary duties. Those questions have been around since 1976. In October 1979, in answer to a question from a member in another place, Mr Millhouse claimed that he had been absent from the Parliament for only 41 days in 25 years. In February this year in an article in a newspaper, Mr Millhouse indicated that he was really only a part-time politician. My recollection is that that response came to a Parliamentary Salaries Tribunal decision, when Mr Millhouse indicated that he would give a small portion of the increase for a short period to charity. He indicated quite clearly that he was a part-time politician.

I believe on that occasion too it was noted either in the House of Assembly or in a newspaper (or by some other means) that since 1978-79 Mr Millhouse had failed to vote in 126 of 232 key votes in the House of Assembly. It is important to recognise that as a politician he endeavours quite properly to get himself before the public by a variety of means. One can reflect back to the occasion when he was reported as making an inspection of the showers of a brothel in Adelaide. One can also reflect back to the allegation that he was the Parliament House streaker and, in fact, he has admitted that. One only needs to look back—

The Hon. K. L. MILNE: I rise on a point of order. I object to this streaking business coming up again. Everyone knows perfectly well what happened. It was nothing like that. He was not putting on a streaking act, as all honourable members know perfectly well. That is quite unfair. I support my colleague. I can deal with criticism of his behaviour, but this is unfair and I ask for the words to be withdrawn.

The ACTING PRESIDENT: That is very noble of the honourable member, but it is not a point of order. I point out that the Attorney-General has been answering this question for at least 10 minutes.

The Hon. K. T. GRIFFIN: The only other reference is that, just over two weeks ago, a photograph appeared in the *News* under the headline, 'Have you seen this caveman?' The photograph depicts a person who is not named, but his physical features indicate that he is Mr Millhouse. He is

shown with two young ladies who are dressed as cavewomen in furs. It seemed to me to be bit of a publicity gimmick for the new film starring Ringo Starr that is coming to Adelaide called *Caveman*. The first 200 people who wrote to the *News* and identified the person purporting to be a cave-man in the photograph would win a pass to the new Ringo Starr movie *Caveman*.

The Hon. N. K. Foster: Did you get one?

The Hon. K. T. GRIFFIN: No, unfortunately I was away at the time. The last paragraph of the article is quite important: it states that the film traces the adventures of a misfit tribesman, played by Ringo Starr, in the year 1 000 000 BC and that the film would be screened at a particular theatre. I have referred to these items because they are relevant to the matters to which the Leader referred and they are also relevant in any consideration of any prospective aspirants for judicial office. It is inappropriate for me to answer this question further and take up the time of the Council.

The Hon. C. J. SUMNER: Did not Mr Millhouse say in his letter that a report of the A.B.C. transcript was as follows:

The Premier says he won't be recommending that Australian Democrat Leader, Mr Millhouse, be appointed to the Judiciary. Mr Tonkin was asked on A.B.C. radio about reports that Mr Millhouse was to be appointed to the Judiciary. Mr Tonkin said the reports were rumours which he'd heard for two years and believed they had been started by Mr Millhouse.

That is what Mr Millhouse has alleged was said, and it is, as I recall it, exactly what the transcript revealed. Why has the Attorney-General attempted to say to the Council that the version given by Mr Millhouse in the House of Assembly yesterday was incorrect?

The Hon. K. T. GRIFFIN: I am merely saying that the A.B.C. news report does not accurately reflect the transcript. It places a slightly different emphasis on the statements that were, in fact, made. I was really only seeking to draw attention to the fact that there is a distinction, perhaps too subtle for the Leader, between the actual news report and the transcript of those proceedings.

The Hon. C. J. SUMNER: Will the Attorney-General explain to the Council the relevance of the various references to the member for Mitcham in the latter part of the answer to the question, where the Minister accused Mr Millhouse of being the Parliament House streaker and a cave man, and referred to his voting record in the Parliament? The Attorney has indicated to the Council that that was relevant in answering the question. Will the Attorney-General now explain its relevance?

The Hon. K. T. GRIFFIN: Under Standing Orders, I can answer the question how I like.

ECHUNGA MINING

The Hon. N. K. FOSTER: Has the Attorney-General, representing the Minister of Mines and Energy, a reply to the question that I asked on 25 August regarding Echunga mining? I hope that the Attorney is more explicit in his reply to this question than he was in his reply to the previous question.

The Hon. K. T. GRIFFIN: My colleague reports that no mineral of commercial value has yet been found in the Echunga licence area referred to. However, in the course of the company's investigations one small diamond was found. Benefits accruing to the State from any minerals produced would take the form of a royalty determined in accordance with the provisions of the Mining Act, under the direction of the Minister of Mines and Energy.

PUBLIC HOSPITALS

The Hon. J. R. CORNWALL: Has the Minister of Community Welfare, representing the Minister of Health, a reply to the question that I asked yesterday concerning public hospitals?

The Hon. J. C. BURDETT: The reply is as follows:

In replying to the Hon. Dr Cornwall's question concerning a letter to the Flinders Medical Centre from the Chairman of the South Australian Health Commission, I would like to correct a major mistake in the facts contained within his statement leading to the question.

The honourable member stated that public and teaching hospitals had been cut in real terms by at least 8 per cent in successive State Budgets. In the last financial year expenditure in public and teaching hospitals in South Australia increased by 14 per cent, well in advance of inflation. In addition, of the hospitals to which he referred, Flinders Medical Centre had an expenditure increase in the order of 19 per cent.

In answering the honourable member's question, I should point out that once again he has taken a statement out of context deliberately, and I do not believe that the statement contained in the letter could be in any way described as a directive concerning public hospitals in South Australia. The letter stressed the importance of the private hospital sector. This is especially true in the Flinders Medical Centre catchment area, where the major private hospitals of Ashford, Blackwood and Glenelg have under-utilised facilities. The letter was not written at the express authority or direction of the Minister of Health. However, the Government has made clear to the Health Commission that it believes that low-cost, efficient, accessible community and private hospital beds should be supported.

It is of interest that the letter, which stressed the importance of this sector and sought rationalisation of super-specialty services, is now criticised by the Hon. Dr Cornwall, when in recent weeks he has been criticising the commission for lack of action on these two questions.

It is nonsensical to suggest that the Minister should take disciplinary action against the Chairman of a statutory authority which is implementing Government health policy in terms of rationalisation of super-speciality services. The validity of this policy is recognised by Labor and Liberal Governments alike all around Australia.

MR MILLHOUSE

The Hon. C. J. SUMNER: Does the Attorney-General believe that the matters to which he referred relating to Mr Millhouse being the Parliament House streaker and a cave man, and that member's other attempts at publicity, including his frequenting of brothels and his attendance at Parliament, are activities that do not fit him for appointment—

The Hon. C. M. Hill: He didn't say that. He merely said that Mr Millhouse visited a brothel.

The Hon. C. J. SUMNER: Does the Attorney-General believe that those activities mean that Mr Millhouse is not a suitable person to be appointed to judicial office?

The Hon. K. T. GRIFFIN: It does not mean anything of the sort. I did not say that Mr Millhouse frequented brothels. I indicated that on one occasion one can remember that Mr Millhouse did, as part of a publicity activity, visit a brothel. Of course, he was doing so in relation to his private member's prostitution Bill.

The Hon. N. K. Foster interjecting:

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: The facts to which I have referred indicate part of Mr Millhouse's political career that must, of course, be relevant in determining whether he is more politician or more lawyer. I was merely endeavouring to draw attention to some of the more recent factors which must be relevant but which will not necessarily exclude any particular aspirant from judicial office. However, those factors are relevant in considering whether or not a person is not only an able lawyer suitable to be appointed but also a fit and proper person for the task.

FEDERAL BANKRUPTCY LEGISLATION

The Hon. C. J. SUMNER (on notice) asked the Minister of Community Welfare:

1. What were the changes (in detail) to the Federal bankruptcy legislation which the Minister considered in an answer to a question on 18 August 1981 to be 'very similar to the Debts Repayment Act'?

2. In what way was such legislation allegedly similar?

The Hon. J. C. BURDETT: The reply is as follows:

1. At the time that the South Australian Government decided not to proceed with the debts repayment scheme, the Federal Government was considering the recommendations of the Australian Law Reform Commission contained in a report on insolvency. The report recommended the adoption of a system based on United States bankruptcy law, which provides for a moratorium for debtors during which they can obtain counselling and re-organisation of their financial affairs.

2. The basis of the South Australian scheme was also to provide debtor counselling and a scheme for the orderly payment of debts and to prevent creditors taking legal action once a repayment scheme had been approved.

Although the Federal Government is progressively reviewing the Bankruptcy Act, I am now informed that the Federal Government does not intend to proceed with these proposals for amendments to the Bankruptcy Act at this stage. However, having regard to the very considerable costs of establishing and maintaining the systems proposed by the Debts Repayment Act, the Government is unable to proclaim the Act.

PSYCHOLOGICAL BOARD

The Hon. J. R. CORNWALL to ask the Minister of Community Welfare:

When will the question be answered which was asked on 4 June 1981 concerning the Psychological Board?

The Hon. J. R. CORNWALL: As the matter referred to in my Question on Notice was answered, albeit unsatisfactorily, yesterday, I ask that the question be discharged.

Question discharged.

CYSS

The Hon. K. L. MILNE: I move:

1. This Council deplores the attitude adopted by the Federal Government towards the Commonwealth Youth Support Scheme in Australia, which it intends to discontinue after 31 October 1981;

2. The Council regrets the complete lack of understanding shown by the Federal Government to this community and youth teamwork which is solving so many problems for unemployed young people;

3. The President be requested to write to the Federal Government requesting them, in the name of humanity, to maintain the CYS Scheme throughout Australia;

4. In the event of the Federal Government refusing to maintain the CYS Scheme, this Council requests the State Government to undertake an investigation through the Department of Industrial Affairs and the Department for Community Welfare to examine a scheme or schemes whereby similar services to those provided by the CYS Scheme can be provided.

I believe that there has been a misunderstanding in Canberra in regard to the CYS Scheme. I want to speak at length, although not now, and I seek leave to continue my remarks later.

Leave granted; debate adjourned.

CASINO

Adjourned debate on motion of Hon. J. R. Cornwall:

That the Legislative Council requests the concurrence of the House of Assembly in the appointment of a Joint Select Committee to inquire into and report on the implications of the establishment of a casino in South Australia and what effect and potential a casino may have on the tourist industry in this State. That, in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members, two of whom shall form the quorum of the Council members necessary to be present at all sittings of the committee.

(Continued from 16 September. Page 900.)

The Hon. J. R. CORNWALL: I believe that the matters that needed to be canvassed were canvassed in my original speech made in this Council when I moved this motion. It is quite obvious that there has been very little rational argument put up against it. Indeed, the only speaker who has opposed this motion is the Hon. Mr Cameron, who gave a very short irrational speech on which he had spent no time at all. He was entirely ill prepared and was seriously lacking in any degree of rationality. I do not intend to canvass the issues again, as I went over them carefully before. There were six main points as to why we should have a Joint Select Committee and why we should inquire into this matter. It will be a conscience vote for members on this side, and it should be a conscience vote for members of all Parties.

Indeed, we should be well informed, as it is not only likely but almost certain that at some stage in the reasonably near future members of this Parliament will have to make up their minds on the issue of a casino. It is an issue which will not go away but which could well be encompassed and well within the expertise of members of the Select Committee. It is precisely the sort of issue on which members can do a first-class and intelligent job. I urge honourable members to support the motion.

The Council divided on the motion:

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

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

Majority of 1 for the Noes.

Motion this negatived.

SELECT COMMITTEE ON UNSWORN STATEMENT AND RELATED MATTERS

The Hon. C. J. SUMNER (Leader of the Opposition): I move:

That the time for bringing up the report of the Select Committee be extended until Wednesday 30 September 1981.

In so moving, I briefly indicate to the Council that Parliamentary Counsel and the Crown Prosecutor are still giving consideration to the draft report.

Motion carried.

SUSPENSION OF STANDING ORDERS

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

That whatever Standing Orders prevent me from moving Notice of Motion, Private Business No. 7, be suspended to enable that Notice of Motion to be reinserted on the Notice Paper.

I assumed that Notice of Motion, Private Business No. 1, was going to proceed today. However, the Hon. Mr Milne did not proceed with it and I was absent when that matter was dealt with. It was no real fault of mine that that occurred.

The PRESIDENT: Before the motion is put, I point out that there is a Standing Order that prohibits the adjournment of a motion and we could not delay the Council to send someone looking for the Leader.

Motion carried.

ELECTORAL ACT AMENDMENT BILL (No. 2) 1981

The Hon. C. J. SUMNER (Leader of the Opposition): I move:

That the order made this day that Notice of Motion, Private Business No. 7, be made an Order of the Day for Wednesday next be discharged and that this Notice of Motion be taken into consideration forthwith.

Motion carried.

The Hon. C. J. SUMNER obtained leave and introduced a Bill for an Act to amend the Electoral Act, 1929-1981. Read a first time.

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

That this Bill be now read a second time.

It makes illegal the publication of misleading advertising in election campaigns and provides that an application may be made to a court for an injunction to prohibit the advertisement being published again and to order a correction of the facts which were misleading. In 1970 Parliament passed an Unfair Advertising Act, which prohibited the publication of an advertisement of any kind relating to goods, services or land or to the extension of credit for any transaction relating to goods, services or land if the advertisement contains an unfair statement. It is legitimate to ask why the principles applicable to commercial advertising should not also apply to political or electoral advertising.

In recent times misleading electoral advertisements have become a matter of greater controversy. In the 1979 State and the 1980 Federal elections both the Labor Party and the Australian Democrats alleged that Liberal advertisements were misleading. In the 1979 State election the Democrats complained of Liberal advertisements that stated, 'Your vote for any Party other than Liberal or Labor may not be counted.'

This was clearly inaccurate and misleading. The Labor Party believes that much of the Liberal advertising supporting the Liberal Party in that campaign falls into the same category. This was particularly so of an advertisement relating to the so-called Trades Hall march on Parliament, the possibility that Mr Corcoran was a front for Mr Duncan, and the crime rate. These matters were dealt with by me and the Hon. Mr Milne in the Address in Reply debate in October 1979 (*Hansard* pp. 118-119 and pp. 227-228).

In the 1980 Federal election the Democrats complained about advertisements that said that Australian Democrats had in the last Parliament voted with the Labor Party eight times out of 10, that a vote for the Australian Democrats could be a vote for the Labor Party and could give the Labor Party control of the Senate, and that the Australian Democrat senators in the last Parliament had been absent for 52 votes out of 192. The A.L.P. complained about an advertisement relating to a wealth tax which alleged that a wealth tax or capital gains tax would affect not only the wealthy but also persons who had, by means of superannuation, insurance policies or small investments made savings intended to provide for their old age or for their children and would affect also hundreds of thousands of Australians who owned modest homes which had risen in value. It was also said that Labor policies would lead to inflation of 20 per cent and that Labor proposed an inquiry that would involve snooping into people's bank books to investigate the assets and income of most people in Australia. These claims by the Liberals were palpably untrue.

Following the 1980 election, both the A.L.P. and the Democrats challenged the results in some seats on the basis of the misleading advertising. The High Court dismissed the cases on a legal point and did not adjudicate on the truth or deceptive nature of the advertisements (*Evans v. Crichton-Browne and others*, judgment delivered 18 March 1981). The court held that the 'illegal practice' in the Commonwealth Electoral Act, referred to in section 161 *(e)*, did not apply to these advertisements. That provision refers to the following:

> Printing, publishing or distributing any electoral advertisement, handbill, pamphlet or card containing an untrue or incorrect statement intended or likely to mislead or improperly interfere with any elector, in or in relation to the casting of his vote.

The court held that the words 'in or in relation to the casting of his vote' referred to the actual physical act of casting his vote and not the processes which led him to form his opinion on which way to cast it. As most other electoral legislation in Australia is in similar terms, there is at present no prohibition on misleading or untrue electoral advertising. This Bill would ensure honesty in electoral advertising. It is an abuse of the democratic process for a Party to be elected on the basis of misleading information. The democratic process should be based on rational consideration of the issues based on the receipt of adequate, accurate information. The quality of public debate and discussion would be enhanced by preventing the abuse of electoral advertising. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 proposes a new section 151a. Subsection (1) of this proposed new section provides that a person who, during the period between the issue of the writ and the closing of the poll, publishes, or causes the publication of, an advertisement that contains electoral matter that is materially inaccurate shall be guilty of an illegal practice. An illegal practice is, by virtue of section 152 of the principal Act, an offence punishable by a fine not exceeding one thousand dollars or imprisonment for six months. Subsection (2) of the proposed new section exempts from compliance with subsection (1) a person who publishes such an advertisement on behalf of another person in the course of the business of publishing a newspaper, magazine or other publication, the business of radio or television broadcasting, the business of an advertising agent or any other business that ordinarily involves the publication of advertisements on behalf of others, provided that the person has not had any part in determining the contents of the advertisement.

Proposed subsection (3) provides that it shall be a defence in proceedings for an offence of committing an illegal practice under subsection (1) if the person charged proves that he did not know that the advertisement contained materially inaccurate electoral matter and that he took reasonable precautions to ensure that it did not contain such matter. Proposed subsections (4), (5) and (6) provide for the granting by the Supreme Court, upon application, of an injunction preventing publication or further publication of an advertisement that contains materially inaccurate electoral matter and requiring publication of a correction

of such an advertisement in appropriate cases. Proposed subsection (7) provides for the interpretation of various expressions used in the proposed new section. Of these definitions, attention is drawn to the definition of 'electoral matter' which limits the application of the section to matters that are or could be reasonably taken to be of a factual nature and that are intended or calculated to influence the votes of electors.

The Hon. C. J. SUMNER: I take this opportunity to thank the Council for its indulgence in allowing me to reinsert this item on the Notice Paper.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from 17 September. Page 974.)

The Hon. C. W. CREEDON: The subject of the Bill before the Council is a matter which was given a great deal of attention three years ago. On this occasion the Bill provides for the whole of Levi Park to be handed over to the Walkerville council. One wonders whether this might not be a kind of pay-off for the Walkerville council's co-operation in not making any great fuss about the proposed route of the O'Bahn system. One only has to look back to the previous Bill relating to Levi Park and note the criticism levelled at the Government in relation to the NEAPTR tramline and wonder why it did not react so violently to the O'Bahn proposal. After all, it would be the same fixed evil in the area, and it mattered little whether it ran on rails or whether it was bounded by concrete.

It was certainly going to bite into their council area, and bridges are still going to span the Torrens, but the complaints were inaudible. Therefore, I ask whether the transfer of Levi Park to the council was a deal to ensure the corporation's silence. There is some doubt about the corporation's interest in the caravan park, and we have been told that it would like to close it. However, it is one of the biggest parks in close proximity to Adelaide and it is essential for the tourist industry. Three years ago during a debate on Levi Park the member for Torrens, Mr Wilson, said:

> As the member for Goyder has said, part of the park is used as a caravan park, and is of importance to our tourist industry. Therefore, understandably, the park has a greater ramification than just being applied for the use and enjoyment of the citizens of Walkerville. Also the NEAPTR tramline is proposed to go through the edge of the park.

Mr Wilson also said later in that debate, when moving an amendment in Committee:

> I introduce this amendment in a spirit of compromise. I did not intend to move it if the amendment of the member for Goyder had been carried. The compromise introduces an independent person to the committee and therefore retains the balance of the trust as it is constituted at the moment. By the amendment I seek to introduce an environmentalist on to the trust for three reasons. As the Minister has already said, Levi Park contains historic Vale House, which has a National Trust rating. It is essential that the environment be considered, when managing the park, particularly in regard to Vale House. As was pointed out to us elsewhere, the major part of the trust income is from the caravan park in the area. Caravan parks are necessary for the tourist industry in this State, but they also have severe environmental consequences on public preserves and reserves. An environmentalist on the trust, nominated by the Conservation Council of South Australia, would ensure that a balance was kept between the value of the caravan park to the tourist industry in this State and the environmental considerations involved. As the Deputy Premier and the Minister of Transport are aware, the Government's proposed NEAPTR tram line is to go along the adjacent edge of Levi Park.

I now turn to a statement made by Mr Casey, who introduced the Bill into this Council. He said:

> At present, Levi Park contains various facilities and several buildings of historic interest. Foremost among the latter is Vale House, the old Levi home. This is currently leased as a kiosk, and the lessee occupies it as a residence. A coach house and stables are also situated within the grounds. In addition, the area contains a public park incorporating an oval and tennis courts, and a caravan park of some 150 sites. The caravan park is well patronised by interstate visitors and constitutes a most valuable source of revenue for Levi Park.
>
> The National Trust of South Australia regards Vale House as a building of considerable historic importance. Consequently, the trust now proposes to initiate restoration work, and to transfer the kiosk to the old coach house and stables. It also proposes to improve the caravan park.

Further, the Hon. Mr Carnie in his speech on a previous occasion, quoting from a Select Committee report, indicated that the Corporation of the Town of Walkerville said:

> The Walkerville council is of opinion that the trust with its two Government and three local government representatives has worked very well over the past 30 years with the establishment of the caravan park providing revenue for the trust so that, since 1965, it has not been necessary for the trust to call on the two councils for their annual contributions. It is pleased also that the trust has taken steps towards restoring historical Vale House which is part of the State Heritage. It believes also that the caravan park aspect of the park administration should be stabilised and more emphasis given to the public park aspect of Mrs Belt's original bequest.

The statements that I have read make pretty plain that the caravan park is essential for tourist development, especially the last sentence I have just quoted. The Walkerville council would have us believe that it has no intention of doing anything with the park except looking after it. We believe otherwise: we believe the council intends to sell the park if it gets the opportunity. We also believe that the council is not prepared to accept the responsibility of maintaining a caravan park. In the beginning, when the land was first offered to the council and improvements were necessary, the council would not accept the property as a gift because it was run down and overgrown with weeds.

The council is now changing its view. Is it because it does not like the caravan park and intends to get rid of it? After all, this caravan park has provided the financial wherewithal to develop this area to its present standard. I have read in the previous speeches that were made three years ago in relation to this park that the Walkerville council refused to accept the land as a gift, because it was in another council's area. I submit that this is not the true reason, and evidence that was given to a previous Select Committee by Mr Elliot, and inserted in *Hansard* in a speech made by Mr Casey, states:

> I was Town Clerk of Walkerville from 1937 to 1965. I have been Secretary of Levi Park Trust since its inception. The remarks I am about to make could be borne out by an inspection of the minute book and a report of the Select Committee that considered the original Bill on this matter. The property was left to Walkerville council. As soon as council knew about that it refused to accept the property because of its absolutely run-down condition.

This statement came from a man who should know, and it seems to indicate that there is no truth in the claims made by speakers on previous occasions. In fact, I believe that all members should be aware that it is not uncommon for one council to own or lease land in another council's area. This is the case in Port Pirie in a matter that was recently before the Council: the corporation of Port Pirie owns some land and leases other land in the area of the district council. The Minister, in his second reading explanation (and I object to the third paragraph), stated:

> The amendment was not proceeded with because of strong representations from the town of Walkerville that the Act should be repealed altogether.

I have not seen anywhere in any of the speeches made in 1978 a comment to the effect that the town of Walkerville made representations to the Government. However, I did

note that the Legislative Council would not pass the measure and insisted on various amendments, to which the Government could not agree. The managers of both Houses met and could not agree. That is vastly different from saying that the town of Walkerville made strong representations.

This Bill raises a matter that was questioned by Mr DeGaris in recent legislation on public parks, and that is: how does Parliament know when the State's public parks are being disposed of, even though the parks may belong to a council? The suggestion was that matters dealing with the disposal of public parks should be presented to Parliament before the Minister signs the necessary documentation. I said at the time what I thought of Mr DeGaris's amendment, and there is no need to go into that now. The Minister promised to have a serious look at the matter raised in that discussion, but, of course, that was only a few days ago, so he has not yet had much opportunity to do so.

This Bill raises the same questions. After all, it involves park land that has been donated by a citizen. The Walkerville council refused to accept the responsibility. The Government in 1948 intervened and formed a trust, and provided a share of the finance necessary to develop and maintain the area. A board has diligently performed its duties and has developed the park into an acceptable public asset. It is known that Walkerville council dislikes caravan parks, particularly this caravan park. It will be very difficult for the Government to convince us that this is not a ploy to get rid of the caravan park. I now refer to the Bill and in particular to clause 3 (4), which provides:

> The council shall, in pursuance of section 666c, constitute a controlling body consisting of five members to undertake the care, control and management of Levi Park, and the controlling body shall not be abolished unless the Minister consents to its abolition.

Section 666c (8) provides:

> The council may at any time abolish the controlling authority but, in that event, all rights and liabilities possessed or incurred by the controlling body under any contract or otherwise shall vest in and attach to the council and all such rights and liabilities may be enforced by or against the council.

I am interested in the beginning of section 666c (8). How does clause 3 (4) stand up with section 666c (8)? I do not profess to know a great deal about the legal technicalities, but it seems to me that it conflicts with that provision.

I should be interested to know how this could be made to work and whether clause 3 (4) will open up more loopholes for those councils that wish to dispose of public parks. I think that this would have been an opportune time for the Minister to tell the Council what the area of Levi Park is; whether it was all donated by the late Mrs Belt; whether the trust has enlarged the area of the land involved; and whether the trust has any other holdings, either adjacent to or removed from Levi Park. I should also like the Minister to say whether the trust has a credit balance or a debit balance, and how much it is. We should not have to ask questions such as these, and I hope that the Minister, when replying, can answer them. I indicate that the Opposition opposes the Bill.

The Hon. C. M. HILL (Minister of Local Government): I thank the Hon. Mr Creedon for his contribution to the debate. Many of the matters that he raised, particularly those detailed questions concerning the trust, will be investigated fully by the Select Committee that must be appointed to investigate this issue further. I feel, too, that the Select Committee, after reaching its findings, will include in its report to the Council material that will stifle many of the queries that the honourable member has raised.

However, before the Council agrees to the appointment of the Select Committee, I hasten to deny entirely the initial accusation by the Hon. Mr Creedon that this transfer of the park to Walkerville council has anything whatsoever to do with any kind of pay-off relating to either the O'Bahn scheme or any other proposition. I refute that suggestion as strongly as I possibly can. There was no such treaty of that kind at all in the Government's dealings with Walkerville council in relation to this matter.

The Hon. J. R. Cornwall: They've been strangely silent over the O'Bahn.

The Hon. C. M. HILL: I am not concerned with debating the question of transport, the O'Bahn system or other municipal areas through which any proposed transport corridor may run. I am merely saying that the Government has not been a party to any deal with Walkerville council as a pay-off against the transfer of this park from the present trust to the control of that local governing body.

The second point made by the honourable member related to the possibility of a closure of the caravan park. There is no proposal at this stage, either in my mind or by the Government, regarding any possibility of the caravan park being closed. The honourable member would have seen in the Bill that the council itself cannot close the park without returning for Ministerial consent.

The honourable member went on further to stress the happenings of some years ago, when the former Government endeavoured to change the control of this park. At that time, Walkerville council made representations to members of Parliament, expressing the council's strong opinion that it did not wish to lose control of the park because it was a public park within the then Walkerville council area. It is not true to say that Walkerville council was silent on the issue at that time.

The Hon. J. R. Cornwall: There was a Select Committee, though, wasn't there?

The Hon. C. M. HILL: I think that there was. Certainly, as the Hon. Mr Creedon said, there was a conference on the matter, and it was impossible at that conference for the Houses to agree. I can recall being a member of that conference.

The final point that I answer with some emphasis relates to section 666c of the Local Government Act, to which the honourable member referred. I suggest that in the Select Committee (of which, I hope, the Hon. Mr Creedon will be a member) a full investigation can be made of that section and other relevant sections of the Local Government Act so that the Bill can be probed in great depth and detail.

I thank the honourable member for his contribution, although I must express my disappointment, in the public interest, that the honourable member and the Party to which he belongs see fit at this stage of the debate to oppose the Bill and, therefore, oppose the principle of local government having control of local government parks in its areas.

The Council divided on the second reading:

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

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

Majority of 1 for the Ayes.

Second reading thus carried.

Bill referred to a Select Committee consisting of the Hons. G. L. Bruce, J. A. Carnie, C. W. Creedon, C. M. Hill, K. L. Milne, and R. J. Ritson; the quorum to be present at all meetings of the committee to be fixed at four members; Standing Order 389 to be so far suspended as to enable the Chairman of the committee to have a delibera-

tive vote only; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 10 November 1981.

CYSS

Adjourned debate on motion of Hon. K. L. Milne (resumed on motion).

(Continued from page 1093.)

The Hon. K. L. MILNE: The CYS Scheme provides the only community-based organised contact with the young unemployed. The projects are integrated in the areas that they serve. They provide a supportive role to unemployed youth and establish the fact that somebody cares. They re-establish some dignity and faith in the person being served. On first being contacted, youths are often very disillusioned and depressed, but the projects provide support often not available at home. They try to remove the stigma of unemployment. Projects then provide practical courses to enhance employment prospects. For example, personal grooming and presentation, interview skills, low-cost driving instruction, bar service and waitressing, basic woodwork, basic furniture-making, handcraft skills, budgeting on low income, cooking and eating on low income, commercial catering, welding, car maintenance, etc., are all included in the projects. They hold workshop days for subjects such as business and the law, self-employment attitudes and opportunities, decorating, upholstering, printing, and so on, as the demand and the need arises. Through talking to community groups in schools the people running these schemes try to bring about an understanding and change of attitude towards unemployment in the community at large. The scheme is essential, and the Federal Government must reverse its decision or the State must try to ensure the continuity of the CYS Scheme or something similar.

Mr Brown, the Federal Minister for Employment and Youth Affairs, and Mr Howard, the Federal Treasurer, keep talking about substituting training programmes. This shows that they still do not not understand the CYS Scheme and that CYSS is providing a lot more than just training. As I have explained, the Commonwealth Youth Support Scheme involves whole local communities in providing personal counselling and assistance for young people trying to cope not only with the financial but also with the emotional and social trauma of being on the scrap heap of our society. The Commonwealth Government is adopting a totally heartless attitude, and the Democrats, amongst others, are not going to let the matter rest.

I saw an announcement in the *Advertiser* on 17 September 1981 headed 'South Australians pay for young jobless—$1 000 000 wanted for youth support'. I noted what the Government is trying to do. I simply want this Council to support the Government in its attempt, first, to save the CYS Scheme and, secondly, to encourage it to provide something similar. I ask the Council to give every consideration to my motion.

The Hon. J. C. BURDETT (Minister of Community Welfare): I support what the Hon. Lance Milne has said. I do not propose to repeat it. He has gone through in detail the way in which unemployed youth will be disadvantaged if the scheme is discontinued. Perhaps subparagraphs 1 to 3 of the motion are a little harsh on the Commonwealth Government, but nonetheless both I and my colleague, the Hon. Dean Brown (the Minister of Industrial Affairs), have made perfectly clear that we regret the action of the Commonwealth Government in discontinuing the Community Youth Support Scheme. It seems that that scheme has been successful in some areas. It has relied much on the support of the community.

From my observations and from those which have come to my attention in my capacity as Minister of Community Welfare, it appears that the scheme either succeeds or fails. In some areas, as in Mannum where I live, it has been successful. In other areas it has not been successful. The measure of success or failure has generally depended on the amount of support that the community has given. Where it has been supported by the community it has been successful; where it has not been supported by the community it has not been successful.

The most recent move taken by my colleague, the Hon. Dean Brown (and it was taken this morning), has been not only to update information provided in response to letters of protest received but also to acquaint every CYSS committee with all moves made by my colleague and the Government which express support for the scheme. It is appropriate to read a letter written by my colleague, the Hon. Dean Brown, to the Federal Minister for Employment and Youth Affairs, the Hon. N. A. Brown, Q.C., M.P. The letter is dated 11 September. It is relevant to read the letter to indicate the measure of support that the South Australian Government has for this motion. It states:

I spoke to you recently about the problems in South Australia as a result of the Commonwealth's decision to discontinue the CYSS programme. Since that time I have made a Ministerial statement to the South Australian Parliament, a copy of which is attached, and I have asked senior officers within my department to prepare a paper setting out the implications and options for South Australia as a result of the Commonwealth Government's decision. A copy of this paper is also attached.

Whilst there were a number of faults with CYSS, I believe that the decision to terminate the programme was premature and neglectful of the needs of the long-term unemployed. In South Australia a considerable number of the CYSS projects comprised informal and semi-structured training programmes which provided a very valuable bridging arrangement for young people to move from unemployment to either employment or more formalised training.

Without criticising the merits of the S.Y.E.T.P., or School-to-Work Transition Programme, it needs to be said that neither of these programmes takes special account of workers who have lost skills and motivation as a result of long-term unemployment. In South Australia CYSS played an important role in this respect and its looser structure provided youth, who had become dispirited and apathetic, with a framework and motivation to prepare for a productive role in our society.

May I draw your attention to the first paragraph of the attached paper which indicates that South Australia is in a worse position than other States with respect to the percentage of young people unemployed and the duration of their unemployment. The abolition of CYSS will be particularly harmful to unemployed youth outside of the Adelaide metropolitan area not least because the South Australian Community Improvement Through Youth Programme (CITY) has been restricted through Budget constraints in extending its operations beyond the metropolitan area. I believe that the Commonwealth needs to take account of the fact that South Australia is doing more than other States to cater for the needs of unemployed youth through its CITY programme, one which caters for up to 2 000 youth each year. A recent survey indicated that within three months of unemployed youth leaving this programme, 40 per cent had obtained employment and a further 20 per cent were engaged in formal training. Our inquiries indicate that the South Australian CYSS programme has played a similarly useful role and it has particularly assisted unemployed women.

Due to the fact that it can be demonstrated that the South Australian CITY programme and many of the South Australian CYSS projects have played this bridging role between unemployment and either employment or training, I believe that the abolition of CYSS has created an unfortunate void in the operations of manpower and training programmes within South Australia. Whatever may be the case in other States, I am informed that the majority of CYSS projects undertaken in this State were consistent with the Commonwealth's objective of providing greater opportunities for unemployed youth in employment and training.

While lamenting your Government's announced intention of terminating the CYS Scheme, I acknowledge the significant increases in funding allocated to other youth employment schemes which, thanks to their more traditional instructional nature, are more readily accountable in terms of performance and have survived.

I also am prepared to accept that the Commonwealth Government's assessment of the CYS Scheme as being of questionable value in other States might have been valid, but I question the legitimacy of its action in relation to the workings of the scheme in South Australia. Officers within my department have received numerous phone calls from community groups anxious for reconsideration of your Government's decision. My office continues to receive letters stressing the value of the scheme, and—perhaps most significantly—within both Houses of the State Parliament politicians from all Parties have expressed surprise and disquiet at the decision to abolish CYSS, the basis of their concern being their personal support of projects operating under the auspices of the scheme in South Australia.

In the light of all these considerations, I have included in the attached paper three options for your consideration. As a first preference, I would like to see the Commonwealth Government express its confidence in youth employment schemes operated by the South Australian Government by injecting $1 000 000 into the CITY programme, enabling it to operate beyond suburban limits and to vary its functions to include the less formal but no less important role presently played by CYSS. Details of how this scheme might operate are included in the attachment. Option 1 is this Government's strongly preferred option, and I commend it to your careful consideration. Should you wish to apply a condition that the performance of the thus enlarged CITY scheme be monitored by an agency acceptable to the Commonwealth, this Government would be pleased to comply.

I look forward to receiving your response on this matter and if, in the meantime, clarification is needed on an officer-to-officer basis, my contact officer is—

Then the name is given. The letter is signed by the Minister, the Hon. Dean Brown. I would like to now read the paper.

The Hon. N. K. Foster: Who produced it?

The Hon. J. C. BURDETT: The Minister of Industrial Affairs, the Hon. Dean Brown.

The Hon. N. K. Foster: Not the other bloke?

The Hon. J. C. BURDETT: No. The paper is as follows:

Implications and options for South Australia following the Commonwealth Government's decision to terminate CYSS on 31 October 1981.

1. Unemployment in South Australia—South Australia has higher rates of unemployment than elsewhere in the country. 20.5 per cent of young people in South Australia between the ages of 15 and 19 years are unemployed, compared to 14.8 per cent of this age group Australia-wide. 12 per cent of young people between the ages of 20 and 24 years are unemployed in South Australia, compared to 7.9 per cent in the country generally. Durations of unemployment are also greater in South Australia, being 25.8 weeks for 15 to 19 year olds and 40.7 weeks for those 20 to 24 years. This compares with 23.6 weeks and 37.7 weeks for those 20 years and over for Australia. The worst case is that of females in the age range of 20 to 24 years where the duration of unemployment is approximately 62 weeks. The South Australian Government has demonstrated its concern for these young people by not only supporting a wide range of Commonwealth and State training initiatives, but also conducting the Community Improvement Through Youth (CITY) programme, which provides opportunities for young unemployed people to develop and undertake community improvement activities and gain work experience and support through periods of unemployment. It is apparent that in South Australia at least, large numbers of young people between the ages of 15 and 24 years are experiencing prolonged periods of unemployment, and that extensive and varied assistance is required if these young people are to be assisted to gain additional skills and experience, and ultimately, enter the work force.

2. Implications of the decisions of the Commonwealth Budget—1981-82—The Commonwealth Government's decision in the 1981-82 Budget to extend opportunities for work experience under the Special Youth Employment Training Programme (S.Y.E.T.P.) and training and allowances under the School-to-Work Transition Programme, while abolishing from 31 October 1981 all Community Youth Support Schemes (CYSS), will have adverse consequences in this State. The majority of programmes developed through the Community Youth Support Scheme in South Australia have placed emphasis on informal training programmes, established in conjunction with local schools, T.A.F.E. Colleges and local community resource people. This informal training has been particularly relevant for those who have suffered long terms of unemployment. These informal training opportunities will be lost through the abolition of CYSS. CYSS has also provided valuable services in the outer metropolitan and rural areas. Due to limited employment opportunities and educational facilities, it seems unlikely that the S.Y.E.T.P. and the School-to-Work Transition Programmes will be able to offer substantial assistance to unemployed young people living outside large regional centres and the metropolitan areas.

It is likely that an inordinate burden will be placed on the State Budget, particularly in relation to its funding of CITY and the Community Welfare Grants Advisory Committee, which provides grants to voluntary agencies to operate community and welfare services, including eight community-based programmes for the unemployed. The State Government has not been able to make provision for this, as it was not taken into account at either the Premiers' Conference or in the State budget.

CYSS has been particularly successful in assisting young women, through programmes providing opportunities for voluntary work experience and maintenance and development of commercial skills. In May/June 1981, 55 per cent of CYSS participants in this State were female.

Although female unemployment is considerably greater than male unemployment in the 15 to 19 years age group and has, on average, a much longer duration among women 20 to 24 years, CYSS is one of the few programmes that has been able to provide particular assistance to unemployed young women. This is apparent in the movement from CYSS programmes to employment. Although it is difficult to obtain accurate State figures on the percentage of CYSS participants who move into employment, it has been found that approximately 70 per cent of those young women who particpate in CYSS funded clerical skills programmes and approximately 65 per cent of female participants in ACTION, the largest voluntary work experience programme in the State, move into employment.

It is also interesting to note that of those young people who did move from CYSS to employment, only 4 per cent had that employment subsidised through S.Y.E.T.P. The Chairman of the Industrial and Commercial Training Commission in this State had indicated that small employers, who make up the majority of employers in this State, have great difficulty making use of S.Y.E.T.P. because they are not able, due to their limited staffing, to provide the on-the-job training which is an essential part of this scheme.

3. Particular Problems in South Australia—It is apparent that the situation in South Australia is somewhat different to that which exists elsewhere in the country. First, unemployment among young people between the ages of 15 and 24 is significantly higher than the Australian average, and the average period of unemployment is considerably longer. The South Australian Government has recognised the seriousness of the situation facing young unemployed people by providing extra finance for the School-to-Work Transition programme to develop additional pre-vocational trade courses; by funding the CITY programme, which provides opportunities for the young unemployed to become involved in community improvement activities; and by funding the Self-employment Ventures Scheme to assist young people who have been unemployed for at least four months to establish their own business venture.

T.A.F.E. Colleges are already extended and there appears little likelihood that with the amount of Commonwealth funds available for courses, as distinct from allowances, there will be any extension in T.A.F.E. School-to-Work Transition Courses in 1982. The large number of small employers in this State also makes it unlikely that there will be any great expansion in the number of places available under S.Y.E.T.P., even though additional Commonwealth funds have been allocated.

CYSS programmes in this State appear to have been more highly structured than in many other States. There has been an emphasis on informal training and employment-oriented activities, and these programmes have done much to extend the range of opportunities young people have to develop and maintain skills which will assist them gain employment. This has been clearly demonstrated by the excellent results many programmes have had in helping participants gain employment. The abolition of CYSS in South Australia will create a void which cannot be filled by existing programmes or existing funding and it will be particularly damaging to the long-term unemployed, rural youth and young women.

4. Suggested Options for the Continuation of Assistance to the Unemployed in South Australia—

1. If the Commonwealth Government is determined to withdraw from direct involvement in community-based programmes for young unemployed people, it is suggested that the Commonwealth make available to the South Australian Government, a grant of $1 000 000 for the balance of this financial year. Prior to the announcement that CYSS would be terminated on 31 October 1981 consideration was being given, in this State, to making a submission to the Commonwealth to amalgamate the CITY and CYSS programmes in order to take advantage of economies of scale. With this financial support, the South Australian Government would be able to develop either one, or a combination, of the following options:

(A) extend the CITY programme which currently operates in the metropolitan area, to serve those areas which will either have no services or only limited services for unem-

ployed young people as a result of the termination of CYSS;

(B) develop a new, independent programme which would be Federally funded and managed by the State Government with the involvement of State-based Commonwealth officials. This would be a similar administrative model to that which exists under the Commonwealth Government's School-to-Work Transition Programme and in keeping with the Commonwealth's Federalism policies. Through this programme, funds would be provided to community-based groups, voluntary agencies and local government authorities to develop programmes which assist young unemployed people by:

(i) developing informal training opportunities using local resources and expertise;

(ii) developing employment opportunities for young unemployed people, including co-operative arrangements and casual work bureaux;

(iii) providing information about programmes and services and helping young people gain access to appropriate services, training and work experience opportunities.

2. Informal training arrangements, as they have been developed through the Community Youth Support Scheme, should be continued. To allow this to occur, it is suggested that funding for CYSS be continued until 31 May 1982 so that priorities can be developed which will be acceptable to the Commonwealth Government, State Governments and those in the community working with, or involved in CYSS programmes. This six-month extension would allow the Commonwealth to embark on a more thorough review than was apparently undertaken prior to the decision to terminate the scheme. During this review, consultation should occur with State Governments to use their detailed knowledge of unemployment conditions and opportunities within the State. By May 1982, it should be possible to develop a programme which may be either CYSS with altered guidelines, or a similar new programme which will be more akin to the aims of both the Commonwealth and this State Government in that it develops training and employment opportunities and provides individualised assistance and information to young people to help them gain access to appropriate programmes and services.

3. If the Commonwealth Government is unable to accept any of the above suggestions then it should emulate its policy of Commonwealth-State co-operation and collaboration that it advanced in the school-to-work transition policy area. South Australia contributed considerable amounts of its own resources to conduct school-to-work transition programmes. There has also been joint involvement in two pilot programmes to train young people for self-employment under the South Australian Self-employment Ventures Scheme. The Commonwealth and South Australian Governments could continue this co-operative spirit if the Commonwealth adopted a policy of matching State commitments in community-based youth programmes which had the aims of option 1(B) above. This would involve a Commonwealth grant to South Australia in 1981-82 of approximately $300 000 and could be especially earmarked for informal training programmes for long-term unemployed youth in areas outside of the Adelaide metropolitan area.

I have read the rather long letter and the paper annexed to it to show that the South Australian Government is very concerned about this matter so properly raised in the motion by the Hon. Mr Milne. The South Australian Government is concerned and it has gone to the trouble of submitting this matter to the Federal Government in detail. Because the Hon. Mr Milne has seen fit to properly bring this matter before the Council I thought it only proper that the action which has been taken should be read in detail to the Council. I have very much pleasure in supporting the motion.

The Hon. N. K. FOSTER: Mr Acting President, I seek your guidance. Before today's sitting, this motion was substantially different from the amended motion now before us. In addition, the most telling factor about this matter is that the Minister of Community Welfare has seen fit to read from a very lengthy letter purported to be from the Minister of Industrial Affairs, Mr Dean Brown.

I understand that that letter was not made available to the mover of the motion, in which case I take the point that the matter should be adjourned, and I seek your advice, Sir, as the Acting President, as to whether or not that can be done.

The Hon. R. C. DeGaris: You only have to move for the adjournment.

The Hon. N. K. FOSTER: I do not want to do that: it is not my Bill. Members on this side want to proceed, but I point out that the motion as it appeared on the Notice Paper until a few moments ago has been drastically changed. That is unfair.

The ACTING PRESIDENT (Hon. M. B. Dawkins): Order! I understand that the mover of the motion was given unanimous leave of the Council to amend the motion.

The Hon. N. K. FOSTER: I do not dispute that at all: I dispute the hand of the Government in this. I understand that the mover, who subsequently amended the motion, was denied an opportunity to read or have at his disposal a very lengthy letter from the Minister. One finds that the motion has been amended on the basis of the Minister's department, that Minister being Dean Brown. That is a reflection on the members who sit in this place. I do not care whether or not the Minister talks to the mover now. I am making a point. The Minister should get out of the—

The ACTING PRESIDENT: Order! The honourable member will address the Chair.

The Hon. N. K. FOSTER: I take objection to the Minister's continually trotting across the floor of the Council without having respect for the Chair, you, Mr Acting President, or whoever is in the Chair. The Minister has interrupted the debate to the extent that he has withheld from the mover information to which the mover was entitled as a Parliamentarian. The Minister should be ashamed of himself.

The ACTING PRESIDENT: Order! The honourable member will resume his seat.

The Hon. N. K. FOSTER: There is no need for you to carry on.

The ACTING PRESIDENT: I call the honourable member to order. He has the floor and he has the right to talk on the motion, but he does not have the right to cast an aspersion on other honourable members.

The Hon. N. K. FOSTER: Thank you, Mr Acting President: I thought it was enough for one of us to get into the act. If I may say so, the letter was denied to Mr Milne, and I take it that Mr Milne will be quite happy about the criticisms I make, because he was not given an opportunity, although he was the mover, to make criticisms or observations about the 17-page letter from which the Minister quoted. It is an absolute disgrace. If it was not for you, Mr Acting President, and my respect for the position you occupy at present, my language would be much more descriptive, and you would toss me on to the street for telling the truth.

The ACTING PRESIDENT: Order! I draw the attention of the Hon. Mr Foster to the fact that the mover of the motion has the right of reply and the opportunity to speak if he so desires.

The Hon. N. K. FOSTER: That is well known, but the Minister has the document in his hands. That is the point I make and the point that you, Mr Acting President, are overlooking, with respect. The Minister should give the mover a copy of the letter now.

The Hon. J. C. Burdett: Why should I?

The Hon. N. K. FOSTER: Does the Hon. Mr Milne have a copy?

The Hon. K. L. Milne: No.

The Hon. N. K. FOSTER: The Hon. Mr Milne does not yet have a copy, and the Minister is trying to tell me that I am at fault.

The Hon. J. A. Carnie: Why should he?

The Hon. N. K. FOSTER: Has there been any propriety and any understanding in this place since this Government took office? It is an absolute disgrace. It is more disgraceful,

because the matter refers to the most unfortunate people in the community, apart from the disabled. The Minister read from a letter and (from my notes) the letter, for 1½ pages, referred to the fact that there would be some form of consultation between now and May 1982 on this matter and on matters that would be akin to the State and Federal Governments. That was what the letter said.

Unemployment, homelessness, and the suicide of young people who are frustrated because they cannot get a job have been a concern of the State and Federal Governments. One would have thought that was so but, to hear the letter today, one would assume that Dean Brown wastes the State's money when he flies interstate to attend conferences of Ministers in regard to the portfolio area in which he is supposed to work and for which he is supposed to accept responsibility. That letter is nothing but a long denial. It represents a further denial and diminishing opportunity in regard to youth employment. It is a band-aid scheme at the best. It has been cooked up by Governments, of any political persuasion, as Governments are wont to do, to hide a problem.

May I shout at the Minister opposite that there is no substitute for full employment—none at all. The Government initiates schemes that are not funded over a lengthy period or are not sufficiently creative in regard to funding, which means that they do not have a growth factor. Those schemes must fail. The RED scheme failed. That was a measure of the previous Federal Government. All of the other schemes will fail.

The scheme was not a Commonwealth youth support scheme in real and proper terms. It offered some hope, and I suppose there is a necessity to offer hope. But never mind about this. Mr Acting President, why do you not pull up that bloke over there: you cannot hear because the Minister is continually making remarks. I will throw this glass of water at the Minister in a moment if he does not shut up.

The ACTING PRESIDENT: The honourable member must come back to the matter before the Chair.

The Hon. N. K. FOSTER: You ask him to shut up: that is your job.

The ACTING PRESIDENT: Order! The honourable member must not cast reflections on the Chair, regardless of who is in the Chair. The honourable member has the floor and the right to speak.

The Hon. N. K. FOSTER: I agree with you, Sir, and I wish you would not let your blood pressure rise in telling me that, because I realise what you say. I will continue to condemn the Federal Ggovernment, because it consists of a bunch of twicers. Dean Brown and other Ministers have been going over to meet with other people for 12 months; he has known for three months that the Federal Government intended to knock off this scheme and he has done nothing constructive about it. He stood in front of this building yesterday before 15 000 people. Is it any wonder they did not want to listen to what he was trying to force down their throats when he said he was doing something about their plight? Since he has been in office, the number of people employed in the vehicle industry has declined by 15 per cent.

The Hon. J. C. BURDETT: I rise on a point of order. The honourable member's remarks have no relevance to the matter under discussion.

The ACTING PRESIDENT: I was about to draw the attention of the honourable member to that fact. He must return to the motion before the Chair.

The Hon. N. K. FOSTER: Read that letter. It refers to unemployment right across the board, but I cannot say that. How narrow is this place becoming? The letter is about 28 pages long (the number of pages has increased since I mentioned the figure previously). It is full of references to unemployment, schemes and falsehoods, but the Acting President says that I should return to the motion. Why did he not pull up the Minister? Why did he allow him to quote the full letter? Was not that done—

The ACTING PRESIDENT: Order! The honourable member will come back to the motion before the Chair.

The Hon. N. K. FOSTER: Of course I will. I will come back to the motion. It is a matter of opinion. The motion has been amended and now reads:

> This Council deplores the attitude adopted by the Federal Government towards the Commonwealth Youth Support Scheme in Australia, which it intends to discontinue . . .

If honourable members think that has no relationship to what the scheme has done they must all be a bunch of ratbags or nuts. It was a support scheme, but what the devil is going on in this Parliament regarding the attitude of our Acting President? You, Sir, have said that I must not mention unemployment, but that is what it is all about. Paragraph 2 of Mr Milne's motion is as follows:

> The Council regrets the complete lack of understanding shown by the Federal Government to this community and youth teamwork which is solving so many problems for unemployed young people.

The Federal Government is not sincere in relation to unemployment, and you, Mr Acting President, should know that. If you do not, you should take it on board. Paragraph 3 of the Hon. Mr Milne's motion is as follows:

> The President be requested to write to the Federal Government requesting them, in the name of humanity, to maintain the CYS Scheme throughout Australia.

That paragraph of the motion uses the words 'in the name of humanity'. That may well relate to you, yourself, Mr Acting President. Paragraph 4 of the motion states:

> In the event of the Federal Government refusing to maintain the CYS Scheme, this Council requests the State Government to undertake an investigation through the Department of Industrial Affairs and the Department for Community Welfare to examine a scheme or schemes whereby similar services to those provided by the CYS Scheme can be provided.

What a load of damned hypocrisy! Do you, Sir, mean to tell me that a Minister who has been in charge of a department for more than two years has officers who cannot put their finger on the trouble spot in relation to youth training, understanding and education? Cannot the Minister give figures which indicate the areas of greatest need? What a load of rubbish!

One ought to oppose this motion outright. However, I suppose that some support of it is better than opposition to it. Bluntly, the Government wanted us to oppose the motion so that, at election time, it could blame the Opposition for its attitude. When members start bandying around dates such as 1982, as they have done, they are merely looking towards the eve of the next election and are trying to see with which things they can hoodwink people. Government members sit down with letters from their constituents, who draw attention to problems that exist in the community, but those members do not acquaint their Federal counterparts with the problems that exist on the local scene.

The Hon. J. C. Burdett: I wrote a letter.

The Hon. N. K. FOSTER: Yes, and the Minister quoted from it today. That matter was raised even before the Budget was presented. The Minister of Consumer Affairs, who represents the Minister of Industrial Affairs in this place, should know that. Nothing was done about it. Now that you, Mr Acting President, have accepted that this motion, as amended, has something to do with unemployment, I can state that the number of unemployed people in this State is increasing. However, the Government is not doing anything about it; nor does it intend to do so. Having put forward a facade of words and taken no action, the Government deserves to be condemned in relation to this

matter. I only hope that Mr Brown will do something about it. I understand that that gentleman speaks to only two people in his department.

The ACTING PRESIDENT: Order! The honourable member must stick to the Bill and not worry about the people to whom the Minister speaks.

The Hon. N. K. FOSTER: The Minister is referred to in the motion, is he not? After all, paragraph IV states:

> In the event of the Federal Government refusing—

and it has refused—

> to maintain the CYS Scheme, this Council requests the State Government to undertake an investigation through the Department of Industrial Affairs . . .

Do you, Mr Acting President, mean that I can refer only to the department and not to the Minister?

The ACTING PRESIDENT: Order! The honourable member cannot say to whom the Minister does or does not speak.

The Hon. N. K. FOSTER: The Minister of Industrial Affairs, each time he meets with his counterparts in Ministerial conferences, should be expected to report back to this Council forthwith regarding not only this matter but also other matters. The Minister of Consumer Affairs, who read the letter to the Council, grimaces when I make such a request. However, there is nothing wrong with that request. Surely people are entitled to know what is being said and what is happening.

It is time for the unemployed people in this State to start kicking at the doors of this Chamber, to really pour through the galleries of this Parliament, and, if necessary, to sleep overnight in this place so that the seriousness of the situation is brought home to these unfeeling Ministers. The underprivileged are more important than the sheep that are being exported, which seems to be the only thing about which the Government concerns itself. I suppose, Mr Acting President, that as a sheep breeder you would say that I should not concern myself with that matter.

I conclude my remarks by saying that something more serious must be done. If the Government continues to talk about 1982, it will need a great Police Force before too long in order to protect itself from the people whom it is denying. There has been much reference to covering this scheme by a number of other schemes, many of which are, of course, abused. A percentage of young people who take jobs at 16 years of age and part of whose salary is met other than by their employers are sacked when they reach 18 years of age because the employers must pay the full wage.

The Hon. D. H. Laidlaw: That doesn't happen all the time.

The Hon. N. K. FOSTER: I agree that it does not happen with the larger firms. However, what happens with some of the smaller businesses, especially in the retail industry, is a disgrace. It is a pity that the Hon. Mr Laidlaw is not on the boards of some of the retail industries rather than the heavier industries because, with the honourable member's understanding, I am sure that the Government would be much better advised. When we talk about the number of people employed in the retail industry today, what has been said is correct. However, when the figures are related to man-hours worked, we see that, instead of one person working for eight hours, a total of three persons cover that period. This applies particularly to female employment. Some females are not employed beyond 3.30 p.m., from which time high school kids take over their jobs.

It is no good the Minister's referring to the number of people who are unemployed, as we must consider the man-hours worked. I am blaming not the Minister of Consumer Affairs but the Minister who gave him the letter. After all, the Minister of Consumer Affairs in this Chamber has a task to perform, and this is what the Minister of Industrial Affairs in another place has asked him to do. The Minister of Industrial Affairs certainly shifts the blame. On that note, I commend the motion to the Council.

The Hon. J. E. DUNFORD: I have been a member of this place for six years and have taken an active part in debates on unemployed youth support schemes, and so on. The proposed motion was discussed by Caucus this morning, and I am pleased to say that, if the original motion had been carried, it would have had the Opposition's full support. Paragraph 4 of that motion reads:

> . . . this Council requests the State Government to provide $1 million per annum, which is the present estimated cost, to continue the funding of CYS Schemes in South Australia.

I could not find anything wrong with that proposition, and by way of interjection I said that this was the greatest snow job that I had ever seen not only in this Parliament but also in any form of activity that I have observed outside Parliament.

I do not think that people will be satisfied with the Minister of Industrial Affairs saying that he has written a letter to Canberra. Honourable members saw the demonstration in front of Parliament House yesterday by 15 000 workers who are sick of Mr Brown trying to get press coverage and political mileage by writing letters to Canberra. The motion was rewritten by the Government, and Mr Foster has demonstrated that Mr Milne has not read Mr Brown's correspondence. It seems that Mr Milne has, since lunch time, changed his stance from requesting the Government to provide $1 000 000 to keep CYSS going. If one did not know what the amendment was one would think that the Government was trying to tell the Opposition that we should keep the scheme going.

The proposition, which Mr Milne has changed since lunch time, placed the onus on the Government to provide $1 000 000 to keep the scheme going. He has now changed his mind. The Government has got to Mr Milne more than once. On this occasion, it has convinced him to take the onus off the State Government and to transfer it to the Federal Government. The Federal Government takes no notice of Mr Brown when he goes on one of his many flights to Canberra. He comes back and uses the *Advertiser* and the *News* for political advantage. However, yesterday he was rejected by 15 000 workers, and more people would have been there if it were not for the petrol dispute. I am led to believe that a large number of project officers will lose their jobs. The Government is saying, 'Here are 70 people that we can get rid of.' Over 3 000 daily-paid employees have lost their jobs or have disappeared from the work force since this Government came to office. From listening to the letter read out by the Hon. Mr Burdett, it appears that CYSS has done a good job in the community.

The Government should support Mr Milne and not persuade him to change his motion. We know that the Federal Government will not foot the bill. All the good things that CYSS has achieved will go down the drain. The Government is trying to satisfy the outrage shown in the community over the last few weeks at the removal of CYSS. In his watered-down proposition put up by the Government, Mr Milne states that we should examine a scheme or schemes whereby similar services can be provided to those provided by CYSS. Why does the Government want to put up a proposition like this when we already have experienced project officers showing definite results? The Australian Labor Party initiated SURS and provided 800 permanent jobs. We spent $24 000 000 on something more positive. We are now having some success with CYSS and are getting young people, particularly women, into jobs. How-

ever, this motion is selling out CYSS and the young people of South Australia for the sake of $1 000 000.

The blame lies squarely with the Democrat in this place for allowing himself to be seduced by the Liberal Party and moving a watered down motion which originally had the full support of the Opposition and Caucus. However, we now find that the Liberals have pulled the Hon. Mr Milne's coat right off his shoulders. It is one of the worst propositions and the greatest sell-out that I have ever seen come before Parliament. Unless some amendment comes from this side of the Chamber, I will have to support the measure, as I have nothing else to support at this stage. I was looking forward to coming here today to congratulate Mr Milne on his foresight in calling on the Government to pay up or shut up, but he has now let the Government off the hook.

The Government waves Mr Brown's letter, which outlines the benefits of the CYS Scheme and says that the Federal Government is to blame. The State Government supported the Federal Government at the last election. Mr Tonkin said that Mr Fraser was on the right track, that he would get the State running again and would create more jobs. The Government is writing to the same person who has let us down and is relying on $1 000 000 from the Federal Government. That money will not be forthcoming, and Mr Milne will stand condemned. Why is he not honest enough to join the Liberal Party? As soon as he puts something constructive up, the Liberal Party takes him out in the corridor and persuades him to do something else. He is the greatest sell-out merchant ever in Parliament. He has no right in the Parliament unless he sits with the Government.

The ACTING PRESIDENT: Order! The Hon. Mr Dunford should come back to the motion before the Chair.

The Hon. J. E. DUNFORD: I am talking about the $1 000 000 that the Government ought to be paying. The Hon. Mr Milne's original motion asked the Council to request the State Government to provide $1 000 000. He now asks the Government to support his amended proposition.

The Hon. J. C. Burdett: You granted leave.

The Hon. J. E. DUNFORD: Of course we granted leave. We cannot pull his coat off while you are doing the same thing. I do not know how the Minister gets around him, but experienced people on this side of the House have tried to charm Mr Milne and get him to see reason—and he does. He said to us, 'You are right, I'll go along with that.' Then, a dozen heavyweight Government members get around him, and he falls to the floor again and says he does not know. This is one of the worse propositions to come before the Council—it is the worst sell-out of young unemployed people I have ever seen. They need the support that they have received from this scheme, but the Government is going to dice it. These people are worth supporting. Once the scheme is abolished, we have to find another scheme to replace it. As I have said, 70 project workers will lose their jobs because of this.

The CYS Scheme has been well administered; it has worked well, and now another scheme has to be built up. In the meantime, as has been said, people are committing suicide, taking drugs, and turning to crime. With the refusal of the $1 000 000, the Government has to start up a new scheme and, in the interim, dozens of young people could go astray and go on to drugs. I heard the Hon. Mr Laidlaw interject as much as to say that that did not happen. However, I know that it does happen.

When youngsters reach 18 years of age, they are dismissed. This happens in the retail stores and in country areas. The youngsters are not paid overtime, and, if they mention a trade union or politics, they are out the door. I have evidence that victimisation of young people in country areas is going on. The worst part for them is to have to go to these schemes. They feel that it is a charitable organisation, but I also know some introverted people have gone there and met other people, and that has been a great social stimulus to them, even though it has not solved all their problems. The letter that has been read into *Hansard* shows that CYSS, which has done a wonderful job, will now be disbanded by the Liberal Party, at the expense of the youth of South Australia.

The Hon. J. R. CORNWALL: I cannot let this occasion pass without participating in the debate. Malcolm Mackerras stated last Saturday that people who vote for the Democrats tend to be those who cannot make up their minds and they are well represented in Parliament. It seems to me that we have had yet another example of that today. I think that the mover of this motion in its amended form has been the victim of an extremely cynical political ploy.

This Notice of Motion has been on the Notice Paper for one clear week. There is no question about that. It is on the Notice Paper in four parts, commencing with the words, 'This Council deplores the attitude adopted by the Federal Government'. Apparently, the Government will pour some scorn on its Federal colleagues. Liberal members did not say that when they asked people to vote for Fraser, but apparently they can pour a little scorn on him now, even though they embrace the whole notion of small government and federalism as enunciated by Mr Fraser. It is as a result of those policies that the funding for CYSS has been withdrawn in the Federal Budget.

The motion refers to the complete lack of understanding shown by the Federal Government. That is all right in a political ploy to pour a little intermittent scorn on the colleagues of Government members. The motion also asks that the President write to the Federal Government, requesting it, in the name of humanity, to maintain CYSS throughout Australia. That is the sort of thing with which no-one can disagree. It is no trouble for us all to support that completely and enthusiastically. No person worth his salt would do otherwise.

The fourth part of the motion commences with the words 'In the event of the Federal Government refusing to maintain the CYS Scheme'. That is a foregone conclusion. The Federal Government has announced in the Federal Budget that the scheme has gone. The motion on the Notice Paper states that the Council requests the State Government to provide $1 000 000 per annum, the present estimated cost, to continue the funding of CYSS in South Australia. The State Government was to pick up the tab. The motion on the Notice Paper states that clearly and unequivocally. The Government could not live with that, because it was a clear direction, and it could not be seen to support it.

On the other hand, it could not possibly have voted against the revised motion as it stood. To have done so would have been politically untenable, so it did what any Government would do. If this motion had been moved by us and if the Government had the numbers in its own right, we would have had the sort of thing that happens in the Lower House all the time. The Opposition in the House of Assembly moves a motion which is hostile towards the Federal Government or the State Government or which commits the State Government to some undertaking, particularly a financial undertaking. The ploy is to amend the motion. The Government always amends the motion to suit itself.

In this case, it could not do that, or could not do it in an overt manner, so it said to the Hon. Mr Milne, 'We want to support this. Let us get around the table and be reasonable people. Come with us. We are working on it. We are writing letters to our Federal colleagues all the time. Keep the letters and cards coming. Would you believe, Lance,

that we have a close working relationship with them? All we want you to do is take out any reference to providing any money. There will not be a person who could not support it if you move a motion that requests the State Government to undertake an investigation through the Department of Industrial Affairs and the Department for Community Welfare to examine a scheme or schemes whereby similar services to those provided by CYSS can be provided.'

Frankly, that commits the Government to nothing. It is absolutely shameful and hypocritical. I come back to the point that the Hon. Mr Milne either has been the victim of an extremely cynical political ploy or he has reverted to his usual form and is the Liberal in the dirty white shirt again. Either way, it does him or his Party no credit at all. He stands absolutely condemned.

The Hon. L. H. Davis interjecting:

The Hon. J. R. CORNWALL: You are playing the fool, and doing it extremely well. It is the only thing you do well. What we ought to be looking at today is the reason why CYSS exists at all. The scheme is treating a symptom. It is not a cure but is treating a symptom of a terrible malaise in this country, and that malaise is abroad particularly in South Australia.

The Hon. M. B. Cameron: It started in Clyde Cameron's day.

The Hon. J. R. CORNWALL: Stop living in the past. I cannot be blamed for what your Uncle Clyde did years ago. It was the Hon. Mr Foster who referred to CYSS as a band-aid scheme. There is no question at all that it does some good in maintaining morale, and that it teaches people how to combe their hair and how to put on a clean pair of jeans or a clean shirt, etc.

The Hon. Frank Blevins: It keeps the project officers in work.

The Hon. J. R. CORNWALL: To that extent, it is job creating, because it employs something like 70 project officers. Really, it is very much a palliative treatment only.

The Hon. Frank Blevins: It keeps them off the streets.

The Hon. J. R. CORNWALL: As the Hon. Mr Blevins quite rightly says, it keeps people off the streets. I have lived and worked in the western suburbs for the past 11 years, and I have had a great deal to do with the Port Adelaide area. I am very proud to be associated with Port Adelaide, especially at this time of the year. It is significant that virtually all crime and crime detection in the Port Adelaide area concerns the unemployed. It is said by senior policemen in that area that almost all the breakings and enterings and the vandalism can be connected directly with the very high unemployment rate in the area. Of course, it has one of the highest unemployment rates in the State. It is a disadvantaged area. Members opposite were elected to Government on a significant law and order policy. They stated that they would cut down on the crime rate, make significant additions to the Police Force, make the streets safe again for our daughters to walk along, and protect people from the thugs that had allegedly been in control for the previous decade.

Today we should be looking at the unemployment rate itself. I was amazed that the Hon. Mr Burdett read that letter from Mr Dean Brown into *Hansard*, because it went on and on, page after page, telling us just how bad the unemployment situation is in South Australia. It was not the sort of gobbledegook that the Premier carries on with every time he gets up, telling us how many jobs have been created. The letter acknowledged perfectly honestly and frankly that we have by far the worst unemployment rate in Australia. That is the thing to which we should be primarily addressing ourselves. That is the thing that must be fixed up in our society.

It appalls me to hear so many people in our society saying that unemployment is endemic, that it is unavoidable, that it is part of the economic system and we have to learn to live with it. I reject that notion completely. I will fight it tooth and claw, and I will fight it to the last. What we really need, and what I hope the Council accepts, is to further express our grave concern for the underlying cause which makes CYS necessary. That is the nub of the problem, and it is the thing we have to solve. We will not solve it through political rhetoric; we will solve it by action.

The Hon. G. L. BRUCE: I rise to support two amendments that have been circulated in my name, as follows:

1. Leave out paragraph IV and insert in lieu thereof the following paragraph:
   In the event of the Federal Government refusing to maintain the C.Y.S. Scheme, this Council requests the State Government to provide similar services to those provided by the C.Y.S. Scheme.
2. After paragraph IV add new paragraph V:
   That this Council regrets that schemes such as CYSS have become necessary because of the failure of the Federal Government to provide adequate employment for the young people of Australia and the failure of the Tonkin Liberal Government to honour its promises on youth employment at the 1979 State election.

I believe that my amendments put more teeth into the motion. I believe the Hon. Mr Milne has been 'snowed' by the Government. His original motion had some teeth, and it meant something. However, the amended motion has been watered down, and the Liberal Party has agreed to it. I believe the Australian Democrats and the Liberal Party got together and came up with some face-saving idea that they could present to the public at large after the Federal Government announced that it was going to abolish the C.Y.S. Scheme. The Liberal Party has agreed to support the motion moved by the Australian Democrats, as long as that motion remains in its watered-down state. The Hon. Mr Milne's motion now means nothing. It does not compel the Government to do anything but have an investigation. The Government is committed to do nothing but conduct an investigation. As it stands, the Liberal Party and the Australian Democrats can tell the public that they are violently opposed to what the 'rotten' Federal Government has done, and they can point out what they have done in Parliament. They can say that they have voiced their disapproval through this motion. However, that is all they have done—simply voiced their disapproval. It is a sop to the unemployed people of this country.

My amendment puts some teeth into the motion. It will satisfy those people who are really concerned about jobs and the loss of employment for the youth of South Australia and of Australia generally. I urge support for my amendments. By supporting these amendments, members will indicate whether they are fair dinkum about the unemployed youth of South Australia.

The Hon. R. C. DeGARIS secured the adjournment of the debate.

FIRE BRIGADES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 September. Page 1045.)

The Hon. R. C. DeGARIS: Yesterday I made most of the points that I intend to make on this Bill. I would like to reiterate a couple of those points. I have drawn attention to the need for a new scheme to run the fire brigades. I think it has been generally accepted by members in this Council that a new scheme is warranted. To summarise,

first, it is unfair that one section of the community should provide the bulk of funds for fire brigades when the benefit belongs to all. Secondly, if some solution is not found, the situation will continue to deteriorate and could lead to serious problems with brigade finance. Thirdly, it is the Government's responsibility as well as Parliament's to ensure that the cost of fire brigade operations are spread equitably amongst the community.

The second point I raised was in relation to the need, at least while the present financing arrangement continues, for representation on an advisory board, particularly for those who are the contributors to fire brigade finance. Although the Minister has said that that is what he intends, I would prefer to see the provisions in the Bill, with specific representation from local government, the insurance industry and the Treasury. On investigating the matter, I encountered a small problem. We may have to accept a Ministerial undertaking on this question, because there is a complication in that an advisory committee has already been established in the Act that deals with the Country Fire Services. That advisory committee is already operating. This Bill provides for a separate advisory committee, so that two would exist. The Minister proposes to have one advisory committee to deal with all fire services in the State.

I accept the Minister's undertaking, provided he can indicate to the Council who will be represented on that advisory committee and provided he can assure me that the advisory committee will be appointed with the passage of this Bill so that, when the time comes for the Country Fire Services legislation to be amended, the Minister may amend this Bill to provide permanently for an advisory committee. I would be quite prepared to accept that undertaking from the Minister, provided he indicates to the Council the organisation that he intends and what people he intends to place on the advisory committee.

Two other queries remain. First, as the Minister is now a corporation and is in charge of the administration of the brigade, what part will the Public Service Board play in the determination of salaries for the brigade? To make the point clear, I ask whether the Minister will comment on the need for a clause in the Bill to ensure that the Public Service Board has a role in that regard. I am not clear about that point: I would like the Minister to comment when he replies. At present, because the Fire Brigades Board is a statutory authority, the Public Service Board (as I understand it) plays no part in this consideration.

However, in future the Fire Brigade Board will be a fire brigade department with direct Ministerial responsibility. I believe that the Public Service Board should have a role in the determination of salaries. I have been informed that a claim is now before the tribunal for increases in fire brigade salaries. For the information of the Council, I seek leave to incorporate in *Hansard* a table giving a comparison of officers' wages, State by State, as at August 1981, without my reading it.

Leave granted.

Comparison of Officers' Wages—August 1981
Total Wage/Week $

	S.A. Present	(Claimed)	Vic.	N.S.W.	Q'land	W.A.
1st year of service	412.97	(490)	404.69	400.15	402.19	401.65
4th year	432.48	(514)	417.65	415.50	424.60	454.40
8th year	451.71	(538)	424.24	445.15	424.60	454.40
11th year	484.17	(576)	432.80	445.15	424.60	454.40

The Hon. R. C. DeGARIS: One can see from those figures that South Australia has the highest rate of pay in fire brigades in Australia. More than that, I am informed that the claim before the court at present is for an increase of between $70 and $80 a week on those figures. So, one can see that there is a serious position in regard to the costs of our fire brigade services.

The Hon. C. J. Sumner: Is that an ambit claim?

The Hon. R. C. DeGARIS: I have no idea. In any case, apart from those figures, one must also realise that, apart from having the highest salary range in Australia, South Australia also has more men in the brigade per million of population than has Sydney or Melbourne. In Melbourne, there are 575 officers per million of population; in Sydney, 510; and in Adelaide, 700.

Yesterday I stated that, of every $100 the people pay in insurance premiums in this State for fire, $33.17 goes to fire brigade levies. Once again I make the point in regard to financing that, if the present trend continues, people will insure for less than replacement value. This will place a heavy burden on those who insure, even for partial value of their properties, as opposed to those who run the risk of having no insurance at all. The final point I want to make at this stage may not be difficult to understand. In fact, it may not be a point at all, but I raise it for the Minister's comment. The superannuation fund for the Fire Brigade is run by the A.M.P. Society. It is based on five times the retiring salary in a lump sum. I am not quite sure whether it is five times the retiring salary or five times the salary of the last five years, but it is based on five times retiring salary or pretty close to that. The Fire Brigades Board nominates two members as trustees of the fund. I suppose now that the board has been removed and the Minister is a corporation, he will make those appointments to the superannuation fund. As the trustee deals with the board, I ask the Minister to investigate that question to see whether there is any need for legislative change to provide for the superannuation trustees of the Fire Brigades Board superannuation fund.

Before I conclude, I wish to refer to the financing of the fire brigades. I have an amendment on file that seeks to amend section 6 of the principal Act, which deals with the financing of fire brigades and which ceases to have any effect after 30 June 1983. I would like to apply a shorter time, but I think it is somewhat unfair if one applies that sort of position to a Government just before an election. I have made the date after the election, which means that on 30 June 1983 the financing of fire brigades must be renewed by whatever Government is in power. That means that in the meantime Parliament or the Government must get to work to design a new policy.

As I said yesterday, Tasmania and Western Australia have already made that move, and Victoria is at present in the throes of an investigation which, I am told, will change the procedure in the State. I will seek the Council's support in relation to those amendments, as it is important that the Council make an expression that it is not satisfied with the present system of financing fire brigades.

Finally, I state that the general thrust of the legislation should have the Council's approval. There is a case for statutory authorities, but I believe that to change the Fire Brigade to direct Ministerial responsibility is a necessary move. The administration of many public functions in the hands of statutory authorities, with little or no Ministerial interference, needs to be closely examined by a committee of the Parliament. I commend to the Council the necessary Parliamentary scrutiny of those authorities, preferably by a standing committee of this Council. Perhaps I will have the opportunity of expanding on that view in the near future.

I have given contingent notice of motion that in Committee I will seek to include other clauses in the Bill. I do not know whether it was necessary for me to do so but, to

be safe, I have given that notice. I support the second reading.

The Hon. K. L. MILNE: Local government has an important role to play in the issue of fire brigades. First, through contributing 12.5 per cent of the budget of the South Australian Fire Brigade, and consequently having a place on its board (currently filled by Alderman Scan Sutherland), and, secondly, in protecting and projecting community interests. The Local Government Association is very concerned about some features of the Bill, which is to be passed before certain items have been decided.

The Cox Report, dealing mainly with manpower issues, was released towards the end of June. Although manning is not principally a concern of local government, Mr Cox did make recommendations which impinge upon their interests. On pages 24 and 25 of the report, one sees the following:

> Day-to-day management of the brigade overall, and the implementation of the regrouping programme proposed in this report, will be more efficiently and effectively carried out by changes in the current system.
>
> The South Australian Fire Brigades Board be reduced to three persons comprising a part-time Chairman, the Chief Officer of the brigade and the Secretary/Accountant of the brigade, all three members to be appointed and dismissable by the Minister...
>
> The appointment of a Fire Service Advisory Council to the Minister upon which current members of the board could continue to serve for the balance of their current terms of office.
>
> The council is to comprise the following: Chairman, Government appointee; Deputy Chairman, Chief Officer of the South Australian Fire Brigade; Secretary, Secretary of the South Australian Fire Brigade; and members, nominees of the Fire Brigades Associations, local authority, insurance interests, representative from the Country Fire Service, South Australian Chapter of Architects, and commercial and industrial interests.
>
> The purpose of the council is to provide the Minister with a source of advice for final decision by him, or Government, on any matter affecting the fire defence of the State, and provide the public with an alternative channel for representatives on the fire fighting and fire prevention matters other than making a direct approach to the Minister.

This report has since been superseded by the release of the Report of the Select Committee of the House of Assembly on the Fire Brigades Act Amendment Bill, 1980. The major recommendations affecting local government are as follows:

(a) Fire Brigades Board is to be abolished and replaced by a Government corporation called the South Australian Metropolitan Fire Service.

(b) An advisory council, as recommended in the Cox Report, is to be set up. The composition of the council is to be as follows: Fire Brigades Officer's Association; Fire-fighters Association; local government; insurance companies; country fire services; United Farmers and Stockowners Association; South Australian Chapter of Architects; and the Building Owners and Managers Association.

The purpose of the council is to 'advise the Government on all matters relating to fire services in South Australia'.

(c) The committee recommends that a special committee be established to solely examine funding arrangements and to make recommendations to the Government.

From a local government point of view, it would appear that not a great deal of progress has been made on this issue. Local government is still required to pay a portion of the brigade budget (12.5 per cent), whilst, on the other hand, it is clear that councils will have no say, or very little say, on how the money is spent.

An advisory council is to be set up on which local government is to be given the same status as the South Australian Chapter of Architects, the United Farmers and Stockowners Association and the Building Owners and Managers Association. Of course, that is quite ridiculous. Local government needs far more representation than that. However, it is getting only the same representation as those who are not paying anything.

Furthermore, the advisory council is to be set up by administrative procedure. The proposed legislation contains no reference to it. Its terms of reference are unknown; for example, it may be directed to consider 'any matter referred to it by the Minister'. A cynic may seem justified in awarding it 'paper-tiger' status and viewing its establishment as a cosmetic public relations exercise.

I refer to the matter of funding. The crucial question has been referred to yet another committee whose membership and terms of reference are unknown and, again, which is not recognised in legislation. It is widely accepted that the only long-term solution to the funding issue is a levy upon all property owners, thereby removing the current financial disadvantage suffered by anyone wise enough to insure.

At the moment there is an advantage to those who do not insure. The problem for the Governemnt as I see it is that such a levy may be seen by the electorate at large as increased taxation. I think that we must face this. The Government's reluctance is therefore due to its fear of bearing the brunt of a hostile electoral reaction to such a change. However, the Government has decided to embark upon another investigation. As such, it should recognise the vital interest of the other two parties involved in the current funding arrangements, local government and the insurance industry. Industry is paying 75 per cent, but what sort of representation will it get on the committee that discusses the funding?

I remind the Council of how the insurance industry got involved in the first place. In the early history of insurance and in early South Australia, each insurance company had its own brigade, which consisted of a tank of water drawn by horses. If one was insured by a certain company, a plaque with that company's name thereon was put on one's house with its number. If the house caught fire, an insurance company would go out with its horse-drawn vehicle and, if the house concerned had the wrong plaque on it, that company went away. This did not seem to be a very effective way of protecting the community from fires.

Gradually, the insurance companies got together. I think that, if the Government is to review the funding arrangement, it should take particular care in how it treats the insurance industry in future, because it is very unpopular for people to have to pay their insurance premium if, on the bottom line of the notice that they get, there is another calculation of what the Fire Brigade charges will be on top of that. That makes it unpopular for the Government, the insurance companies and the Fire Brigade.

The Hon. Frank Blevins: And it's inequitable.

The Hon. K. L. MILNE: It is inequitable. I foreshadow two amendments that have been circulated. The Local Government Association feels very strongly on these matters and will want to know how the Government feels about them. I support the Bill and will say more in the Committee stage.

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

CORONERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 September. Page 1046.)

The Hon. K. T. GRIFFIN (Attorney-General): The Leader of the Opposition raised three particular questions about this Bill. The first related to the Coroner's salary indirectly but principally in relation to whether or not the Coroner should be a judge of the District Court, which would allow rostering of judges to take coronial inquests. I think it important that the Leader should know that there are Deputy Coroners who are appointed throughout South Australia and they are, generally speaking, magistrates, so already there is a system of rostering, particularly in country areas, and it is a system that has worked adequately up to the present. I cannot see that there is any need to increase the status of the office of Coroner.

Already it is something halfway between a magistrate and a District Court judge, but to enhance it to the status of a District Court judge, in my view, would not serve any useful purpose. I think it ought to be recognised, too, that, whilst we refer to the Coroner's Court, it is in fact not a court. The Coroners Act relates to inquests by the Coroner, so it is the Coroner or the Deputy Coroner who is acting not as a judicial officer but in that curious office of Coroner in conducting inquiries.

The next point that in some respects is related is the question whether, in fact, the right of a Coroner to commit a person for trial ought to be abolished. Until 1975, the Coroner did not have the right to commit any person for trial. He was given that right in that year, I think more as an experiment than anything else and, in the six years since 1975, only one committal has been made by the Coroner. That was, in fact, controversial on questions of principle as much as anything else. I think it related to an assault case. I think we have to remember that it is a coronial inquest. The Coroner is inquiring into much broader issues than whether or not a person is *prima facie* guilty of a particular offence and ought to be committed for trial.

No-one is in the dock during the course of a Coroner's inquest. No-one is being charged. No-one has to defend his or her actions and no-one is prosecuting, so it is far removed from committal proceedings. Where there is an identified accused person, he or she is charged and knows what the charge is, there is a prosecutor presenting evidence relating to that charge, and a defence lawyer acting for the party charged has an opportunity to cross-examine all the witnesses.

A coronial inquiry is not set out to protect the accused, to provide opportunities for the accused as in committal proceedings, so I would strongly oppose any attempt to leave in the Coroners Act the right of a Coroner to commit a person for trial. I suggest that, if he were to retain that right and exercise it, it would be as though he plucked someone out of the assembled group before him, or not even out of the group before him, and said, 'You are *prima facie* guilty of this offence and I am going to commit you for trial,' and that may be without any attempt by the person to defend himself. I think that that is against any concept of justice and for that reason I think it ought to be removed from the Act.

The other area to which the Leader of the Opposition has referred relates to the authority of the Coroner to make rules with respect to payment of costs. Those rules will, in fact, be subordinate legislation and will come before both Houses of Parliament under the Subordinate Legislation Act, so there is a monitoring opportunity for Parliament in the making of those rules. Certainly, it is not intended that those rules should be used as a basis regarding legitimate requests for inquests.

It is to recoup the cost of some inquests where ordinarily the Coroner would not deem it appropriate to hold an inquest but where he holds one because he has been requested by, say, an insurance company to hold one where the insurance company will gain the benefit of the inquest and where the insurance company will gain the opportunity to cross-examine witnesses and call evidence. It is towards those instances that this rule-making power is directed. It is true that those costs will include travelling expenses of witnesses, costs of evidence, and those costs that can be easily identified, but also to recoup what the Coroner may regard as an appropriate cost of conducting the inquiry within the Coroner's office. That would be subject to taxation, so there would be ample opportunity for persons to challenge the quantum of those costs.

The Hon. C. J. Sumner: Nonsense!

The Hon. K. T. GRIFFIN: The Leader of the Opposition has interjected 'Nonsense'. There was an article in the *Guardian* of 9 February 1981 headed 'Coroners' Courts due for a death sentence'. A barrister and visiting fellow at Warwick University, a person named Stephen Sedley, strongly prosecuted a suggestion that Coroners' Courts ought to be abolished. They do not exist in Scotland but they do in England. It is all very well for the Leader to interject that it is nonsense.

The Hon. C. J. Sumner: You're trying to deter the people who have legitimate claims from having deaths investigated.

The Hon. K. T. GRIFFIN: It is not deaths: it is events such as fires. In many cases there is no need to hold an inquest. The facts will ordinarily be contained in the statements tendered to the Coroner, upon which he relies to determine whether or not there should be an inquest. It is correct that he does not have to hold an inquest, but he would ordinarily do so upon request and if there was some apparent need, particulary where insurance companies make requests. It is in those circumstances and in a very limited number of cases where the Coroners Court is being used for a purpose for which it was never intended. That is the object of this rule-making power. I have dealt with the three principal matters raised by the Leader. If there are any other questions that I have not covered adequately, I am sure he will raise them again in Committee.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

IRRIGATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 22 September. Page 1032.)

The Hon. B. A. CHATTERTON: I support this short Bill, which has become necessary because of a change in the administration of irrigation areas, particularly in the Riverland. Previously, they were under the control of the Department of Lands, but for some years now they have been under the control of the Engineering and Water Supply Department. This legislation tidies up the administrative arrangements of that department. One of the major advantages with this legislation is that the old system of irrigation charges can be changed and put on a more sensible basis. In the past, irrigated land was rated for irrigation purposes and people were charged rates on that land. However, there was no relationship between those rates and the amount of water that was used.

The Department of Lands supplied water to the various blocks in a series of irrigations throughout the year. The blockers opened their particular gate and irrigated their properties. The amount of water that was delivered was not measured, nor did the charge for that water relate to the amount that was delivered. This Bill enables the Minister to impose charges based on the amount of water that has

actually been supplied. Obviously, that is a major advance and it gives growers the incentive to save water.

Will the Minister inform the Council whether any changes have been made to the conditions on the leases in the Riverland? In the past, under the old irrigation system the charges related to the area to be irrigated. If a farmer owned 15 hectares of land, the charge imposed was based on that area of land. Under the new system, one is given an allowance and is charged per thousand litres used or whatever the quantity is. In other words, if a farmer had a 20-hectare property which used to be rated at 15 hectares for irrigation purposes and if he now wished to irrigate the whole area of 20 hectares under the same allowance that he had in the past, surely that should be allowed.

It no longer seems to be of any importance to the Government or to the E. & W.S. Department what area is being irrigated with the water that is supplied. If the department allows growers to irrigate any surplus land, and that would probably only apply to growers on the fringe irrigation settlements, obviously there would not be any land that would not be irrigated in the centre of an irrigation settlement. That would provide a much greater incentive for economising with water than by imposing lower charges. One could look at a block in the Riverland and say that perhaps with better irrigation practices a saving of 10 per cent to 15 per cent could be made in relation to water. That would not have a great impact on the total cost structure of the block, and it would only save the grower 2 per cent or 3 per cent. However, if the grower is allowed to irrigate 10 per cent to 15 per cent more land, that would have a major impact on his viability and would be a major incentive for him to be more economical with the use of his water. The community would also benefit because better irrigation practices and more economical use of water would mean that they would not have to provide drainage for the disposal of surplus water that is produced by poor irrigation practices and the over-watering of certain areas. Will the Minister ascertain whether the old restrictions still apply or whether they have been lifted? Under the new system, which provides for a water allowance and imposes a charge per thousand litres, will the grower have the freedom to irrigate any land that might be available to him? I support the Bill.

The Hon. C. M. HILL (Minister of Local Government): I think the points made by the Hon. Mr Chatterton will have to be referred to the Minister in charge of this Bill in another place, because they are worthy of consideration. If the honourable member is satisfied with a reply in writing I undertake to obtain that and forward it to him in the very near future. I was pleased to hear that he supported this short Bill and I thank him and the Opposition for that.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

ADJOURNMENT

At 6.10 p.m. the Council adjourned until Thursday 24 September at 2.15 p.m.