LEGISLATIVE COUNCIL

Thursday 29 October 1981

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

MOTION FOR ADJOURNMENT: MAGILL HOME

The PRESIDENT: I have to inform the Council that, in accordance with Standing Order 116, the Hon. J. R. Cornwall has informed me in writing that he wishes to move the adjournment of the Council to debate a matter of urgent public importance, namely:

That this Council expresses its grave concern at the proposed closure of all nursing home accommodation at the Magill Home for the Aged and calls on the Minister of Community Welfare to reverse his decision forthwith.

In accordance with Standing Orders it will be necessary for three members to rise in their places as proof of urgency of the matter.

Honourable members having risen:

The Hon. J. R. CORNWALL: I move:

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

On Tuesday, the Minister of Community Welfare announced in this Council that the Government had given approval for the Health Commission (1) to negotiate with the Commonwealth Health Department in order to exchange the allocation of 72 State nursing home beds at Magill for 90 (general purpose) State nursing home beds at Windana, and (2) negotiate with Southern Cross Homes Inc. to assume conduct of Windana as a State nursing home.

As I said on Tuesday, and I repeat it again today, that is a shoddy political fiddle to get the Government off a financial hook of its own making. In fact, it is no more or no less than a decision to close down all infirmary accommodation at Magill and, in doing so, to split up this intergrated community of elderly citizens which has been run by the State of South Australia for more than 60 years. The emotional trauma that that will cause to residents and patients can hardly be imagined—it will be enormous.

If the Minister had taken the trouble today—had he cared enough today—to come out to the front steps of Parliament House to the rally conducted by the residents and staff of the Magill Home for the Aged, he would have seen some of the feeling and emotion that is abroad at the moment, because these very old people, many of them severely disabled and in the twilight of their years, are faced with the proposition of having their community broken up. They are facing not only the possibility but also the very strong probability that that integrated unique aged care facility in South Australia will be broken up, destroyed and disintegrated by the combination of the uncaring bloody-mindedness and financial incompetence of this Government.

When we look more closely at the Minister's statement, we can see that it is not simply a matter of relocating the patients *in toto.* It is an accountant's trick to count beds to get the Government off the hook. There is no guarantee that all the patients will be transferred to Windana, and that makes the situation even worse. The Minister's statement says that officers from his department and from the Health Commission will assess the needs of each individual and try to ensure that those needs are met in the most appropriate manner (a typical politician's phrase), whether it be by transfer to Windana or by relocation in some other facility best suited to them. In other words, they may well be split up and scattered to the four corners of Adelaide. In our submission that is simply not good enough.

I will briefly recount the history of the Magill Home. As I told the Council on Tuesday, it has been a fully integrated facility for this type of care since immediately after the First World War. In fact it was set up originally as an integrated facility to care for veterans returning after the First World War. Shortly after that it became known as the destitute asylum. Despite the unsavoury name, it continued to provide integrated accommodation, and it continued to do so under both Conservative and Labor State Governments over the years, right throughout the time when Sir Tom Playford was Premier, despite the fact that the major thrust was then towards industrialisation and development, which was done well but very much at the expense of the social programme. Even as late as the late 1960s, we were running 20 or 30 years behind our counterparts in the Eastern States in the area of welfare in particular and also in health and education. Nonetheless, even in those days, and given the philosophies of successive Conservative Governments which ruled this State for more than 30 years, nobody ever dared to suggest that the integrated aged community at the Magill Home for the Aged should be broken up. It is only this Government—this axing, slashing, uncaring, callous Government—that would get around to trying to pull a trick like this on the people of South Australia.

In its recent history, the home has been committed to the Community Welfare Department. It has been under the care and charge of successive Ministers of Community Welfare for about a decade. During the Labor administration in the 1970s, a master plan was developed for upgrading the facilities at the Magill Home. Again, right along the lines of retaining the integration of a facility where patients could walk in and be provided with hostel accommodation, have access to infirmary accommodation within the same complex, and, ultimately, when they became nursing home patients requiring extensive care, go into those infirmary beds on a full-time basis, that upgrading had progressed steadily and effectively up until September 1979.

We then had a change of Government. Even then, despite the great rhetoric of the axers, despite the ill-considered, ill-timed actions that were taken forthwith to knock off succession duties in one fell swoop, to knock off land tax on the principal place of residence in one feel swoop, to do away with gift duties with one stroke of the pen, and to meet its obligations to its wealthy friends by changing the system of rating altogether, actions that gave away some $30 000 000 within a period of a few short weeks in policy of total irresponsibility—despite that, the Government did not realise in those early days just what a financial mess it was getting itself into.

As late as November 1980, as far as the residents, the staff and the people of South Australia were concerned, that facility was to remain intact and the upgrading was to continue. By that time the hostel accommodation had been completed (and the hostel accommodation at the Magill Home for the Aged is some of the best in the State, something of which the Labor Administration is very proud). The Minister mutters over there in his own asinine and strange way. I can assure him that I have inspected those facilities recently, and that they are amongst the best in the State.

Of course, the infirmary accommodation is very substandard, but the upgrading and refurbishing of that infirmary accommodation was to proceed on schedule as far as everyone was concerned. Indeed, in the 1980-81 Budget, the second Budget brought in by this Government, money was made available in the Estimates for that refurbishing to

continue. In November 1980, in the expectation that that would continue, patients from Atkinson Ward were moved into very much temporary accommodation (as they and the staff were then told) in the Queen Mary Ward. Atkinson Ward has been lying derelict ever since.

Soon after the patients were moved into their so-called temporary accommodation, the Premier sent out the first of his now infamous memos to his Ministers telling them that they were looking down the barrel at a $40 000 000 deficit on revenue account for 1980-81, 'so please cut back on all your capital works'. The whole thrust of that argument was, 'We have to pinch the mortgage money to pay for the groceries.' The Government has been doing that ever since, lurching from financial crisis to financial crisis. It became obvious that, from the moment that first memo went out, the Government never intended to proceed with the work on Atkinson Ward.

However, did the Government do the decent thing? It had known for almost 12 months that it would be impossible for that refurbishing to proceed, given the financial mess into which it had got itself, unless the Government reordered its priorities (and one does not expect that from a callous, cruel Government that does not care about people). Thus, its little trick, its callous plan, was to suspend completely any refurbishing and allow Atkinson Ward to lay derelict, and that is exactly what happened. Did the Government tell the staff, the residents, or the patients? Did anybody go out and take the people in the Magill Home into his confidence by telling them that the Government had run out of money, that the people would not be going back to the ward because it would not be refurbished, but that it had a plan to close all the infirmary beds at the Magill Home?

The Government knew that position, certainly from early this year, yet at no time did it approach the residents or staff and put them in the picture. At no time did it tell them the truth in any way at all. They were left in the dark, and the word had to spread by rumour. The great feeling of unease that has been abroad in that situation for the past six or eight month lies fairly and squarely on the shoulders of the incompetent Minister of Community Welfare. Nobody was told what was happening, but the news was allowed to filter through by rumour.

Then, of course, the big announcement came last Tuesday. The net result of that announcement, if the sums are done honestly, is a loss of 72 nursing home beds for the frail, sick aged of South Australia. Worse than that, if that is possible, is that Magill has traditionally been available to aged people from all over South Australia, so that, again, a facility has been taken away from all the people of this State. It has always been available to the indigent aged of South Australia.

You would know yourself, Mr President, that to get into many of the aged care facilities in South Australia and, indeed, anywhere in the Commonwealth these days, as a matter of quite deliberate Federal policy, it is very often necessary to have $5 000, $7 000, $10 000 or upwards. At Magill that has never been necessary. Therefore, the indigent aged of South Australia have always traditionally had access to the facilities at Magill.

Moreover, as I said earlier, it has always been an integrated facility. As elderly senior citizens who are residents of Magill have become ill they have gone to an infirmary on the site within the complex or, as I said earlier, once they have been no longer able to cope and have needed extensive nursing care they have gone into nursing home beds on a permanent basis. The move initiated by this Government on Tuesday effectively destroys that integration completely.

What about Windana, which has been a continuing embarrassment to this Government for more than two years? Windana is a completely refurbished facility, with 90 brand new beds which are still wrapped in their plastic covers and which have been sitting out there for more than two years. Why wait until now to initiate this brilliant strategy suddenly developed by the Government to use all of these new beds? Why was it considered desirable in November 1980 that the accommodation in Atkinson Ward should be refurbished, that the plan should continue, and that the integrated complex at the Magill Home should go on as it has done since the early 1920s? Why this great wisdom in hindsight?

The simple fact is that the Government has messed up its financial situation so much that it now has to take every desperate measure open to it to defer any sort of activity involving loan money. As I said earlier, a great deal of the money from the loan account, traditionally used in this State and every other State for capital works—for just the sort of work that we want to see take place at the Magill Home—must be pinched to put into the revenue account, as I said, to pay for the groceries.

How long can the Government persist in this programme of pinching the mortgage money to pay for the groceries? God knows what sort of a mess we will be in in 15 months when the Labor Party is asked to take over control of the State once again.

The Hon. J. C. Burdett: You don't seriously believe that?

The Hon. J. R. CORNWALL: I not only seriously believe it—I am prepared to put my money where my mouth is. If the Minister would like to accommodate me with a decent size wager, I should be only too pleased.

The PRESIDENT: Order!

The Hon. J. R. CORNWALL: I was about to say something about Windana before I was rudely interrupted by the front bench.

The Hon. C. M. Hill: What odds?

The Hon. J. R. CORNWALL: Odds on. I am prepared to bet 10/7 at the moment. I should be happy to get set at that price, because I am sure the odds will shorten to threes-on in the next few months.

The Hon. C. M. Hill: Don't waste your money.

The PRESIDENT: Order! The honourable Minister and the Hon. Dr Cornwall can conduct that part of their affairs outside the Chamber.

The Hon. J. R. CORNWALL: Thank you, Mr President, for pulling us both into gear. If we want to get set on the side we can do so outside the Chamber. Windana is a classic example of wrangling and buck-passing between two conservative Governments, State and Federal. Both of them are committed to the twin evils of discredited monetarist policies and the destruction of the so-called public sector. The conservatives opposite spit out the expression 'public sector' as though it was some sort of dirty expression, something from which every decent citizen should recoil in horror.

The Hon. C. M. Hill: Rubbish!

The Hon. J. R. CORNWALL: You do it consistently. You denigrate your public servants and then wonder why they are not loyal to you. The Government denigrates the public sector and runs the whole public sector down. In the Budget that is still being debated before this Chamber, the Government has deliberately set out to reduce by 1 600 employment in the Public Service in this State. Of course the Government denigrates the public sector and public servants, and it ought to be ashamed of itself for so doing. What does the term 'public sector' mean in this case? It means accepting the responsibility, on behalf of the community, for the care of frail, aged people in South Australia.

That is a community responsibility, and any decent civilised society should take up that responsibility.

The waiting list for patients at Windana is already more than 130 persons, who are waiting for the 90 beds that lie idle there. Windana can be filled from that waiting list without worrying about the patients from Magill. People have been waiting to get into Magill for years; the facility is badly needed and could be filled at 24 hours notice.

Of course, a funny thing happened on the way to funding. Someone used the term 'psycho-geriatric' and so the wrangle began. The Federal Government, delighted to get off the hook, said, 'Oh no, aged psycho-geriatric patients come within the mental health category and are therefore a State responsibility. We will not have a bar of it or assist you with funding for Windana at all. Despite the fact that there is a proven and desperate need, we will not help you with it because you use the term "geriatric".' The State Government said, 'I am sorry, but we do not have the money. We have run out. We have given a lot of taxation relief to the top 5 per cent of the people in South Australia, so the other 95 per cent can go to hell.' That is precisely what has happened in relation to Windana.

This unseemly wrangle has gone on for two years, and, in a desperate effort to get itself off the political and financial hooks, the Government is indulging in this sort of thing. The reality is that we should not be involved in this wrangle about words at all. We are talking about frail, aged people who are no longer able to care for themselves. Let us forget about the humbug of medical classification and orthodoxy.

What is the essential difference between a frail, aged person with a short-term memory loss who gets a little agitated from time to time because he misplaces things and who gets anxious because his short-term memory recall is not too good, and someone who is classified as suffering from senile dementia? There is very little difference at all. Let us forget about the humbug of medical classification and orthodoxy, the humbug about what words are used, or the complete humbug in relation to what sort of medication these people might be on or in which sort of box we should put them, and let us care about the frail, aged people in this State.

I should like now to quote from a letter that I received recently from a lady who will remain nameless. This letter will demonstrate the desperate need for the beds at Windana and why they should not be used for the people at Magill. The letter states:

Dear Dr Cornwall,

The purpose of this letter is to ask for your support and, as a consistent Labor Party voter, to inform you of some Government bungling in the health sector.

My 64-year old husband has a serious brain disease. For two years, with the support of our family, I coped more or less, mostly less. At the end of 1980, I was directed by Southern Cross Homes Inc. to Windana Day Care Centre, Pleasant Avenue, Glandore. My husband now attends this centre two days a week but, as his condition deterioriates, he will need full-time care.

It is most important that my patient will be housed under the best possible conditions when that time comes and, with that in view, I have examined the staff and operations at Windana objectively. I have come to the conclusion that my family and I would have peace of mind if we could leave him at Windana when that time comes.

In addition to the day-care centre, Windana has facilities, furnished and ready to go, for 90 in-patients, and will provide job opportunities for 160 to 200 people. With Government funding, Windana will become a part of Southern Cross Homes Inc. but, to my knowledge, the Federal Government has put off funding this project since July 1980.

Here is a desperate, caring lady, with a 64-year old husband who has a deteriorating brain condition, and he has nowhere to go, and he will still have nowhere to go with the Government's proposal. Nothing will happen at Windana in terms of the care of this class of patient. The Government is not off the hook at all.

The other point the Government has used, and the Minister of Health has made great play of this, is that it is expanding domiciliary care. It will let people die in their homes. That is what it means in practice, because it is a lot of rubbish and political nonsense, to say that the Government has upgraded domiciliary care; it has not.

I will quote from a letter I received this morning from the Prospect-Walkerville Community Development Board, as follows:

Dear Sir,

Domiciliary Care—Eastern Region Geriatric and Medical Rehabilitation Services

Thank you for your interest and letter of 3 September re the funding for domiciliary care. Advice has been received from the South Australian Health Commission that funds for the year 1980-81 for the eastern region were the subject of a small increase of 2 per cent over the 1979-80 figure.

This is despite the untruths the Minister has been telling; this is the reality. The letter continues:

When considering the inflation rate of approximately 10 per cent for the year 1980-81, together with the fixed charges which includes salaries, wages, administrational supplies all of which increased substantially over the small movement allowed, obviously the services to the needy must have been affected. Similarly, whilst there has been an increase of 12.2 per cent for the year 1981-82 over the previous period it is our concern that the money available will not account for the inflation rates for the two years under discussion.

There is the lie to what the Minister has been saying; there is the stark reality. The letter continues:

It is estimated that the deficiency will be approximately 7.25 per cent in real terms when compared with 1979-80.

So much for the nonsense we have heard about domiciliary care; so much for the nonsense about keeping people in their homes. Of course, that is highly desirable if they have a home, something many patients at Magill do not have; if they have relatives who care and who are able to care for them, something many of the residents at Magill do not have; or if there is a decent domiciliary care service, but there is not. There is the lie to the nonsense that the Minister has been carrying on about regarding domiciliary care. That area of the eastern suburbs of Adelaide has been cut by more than 7 per cent in the two years that this callous, cruel Government has been in office.

I turn briefly to the Home for Incurables, because it is relevant to the debate. There are 204 brand new beds still in plastic, a similar situation to that at Windana. They have been sitting out at the Home for Incurables ever since this Government has been in office. This is despite a waiting list of more than 500 chronically ill people who are trying to get accommodation at that institution—more than 500 people suffering from long-term illnesses who are imposing an impossible burden on their relatives, who can no longer care for them. That facility services the whole of South Australia. The formula of 50 beds per 1 000 head of population which the Federal Government applies in assessing these sorts of areas is complete nonsense when you consider that.

I will ask the Minister a couple of interesting questions about the future of Magill Home, and I am sure that he will attempt to answer. At Magill there are 10 hectares of prime land. What does the Government intend to do with the bulk of that land? In its desperation for funding, has it considered, in its own Machiavellian way, the possibility of sale? Is it proposed to chop it up for residential subdivision or any other sort of sale? Will the Minister tell this Council about his outing yesterday when he attended the Magill Home and had a splendid lunch, until the staff got wind of it and decided that they would ask him a few questions, at

which stage he ran out of the back door like a naughty boy scuttling for his car? What was he doing out there?

I will tell you what the staff thinks; perhaps the Minister can put us in the picture. The staff is concerned that there is already a thought in the back of the Government's mind, desperate as it is for money. The 'humph' from the back bench from the old grouch does not make any difference to my contention. Of course it is desperate for more money. That is something the honourable member ought to know something about, because he is tremendous at accumulating it but very lousy at spending it. He would be an expert about finance and knows that the Government is in desperate strife about money. Under what sort of title is the land held? What is the nature of the deed or title to the land?

I now turn to staff motives, although I must finish shortly because I would not want to deprive the Minister of the opportunity of making some sort of reply. In regard to the staff motives, the other day the Minister said that the permanent staff at the home can be assured that their employment will be guaranteed and that no-one will lose his or her job as a consequence of any transfer arrangements. Thus, the staff is protesting purely because it wants to see that facility kept.

I have met many of the staff; it has been a pleasure to talk to them on several occasions. They are delightful people, ordinary people like most of us. However, they are extraordinary in the sense that they have an enormous dedication to their patients. They are not protesting because of some industrial disputation: they are not protesting about terms or conditions of employment.

As I said the other day, there is no use in the Government's trying to manoeuvre them into some sort of corner; there is no use the Minister's trying to make out that staff members are doing this for reasons of personal gain. They are doing it because of their total dedication to the patients, yet the Minister has the gall to chuckle. So much for his caring about people. He is certainly not fit to be Minister of Community Welfare, and not fit to be a member of the Government, dreadful though the Government may be. That is the staff motivation.

I might say that, since those patients were moved into temporary accommodation in Queen Mary ward, the staff has been working under appalling conditions. Has there been any industrial disputation about that? Has the staff been working to regulation or gone on strike? Certainly not. The staff has carried on for 12 months, under appalling conditions in the so-called temporary accommodation, with the burden of looking after those frail and aged sick people.

What about the residents and patients? The Minister said the other day that members of his staff had been out there consulting with the patients at length. The Minister said that, with regard to what had happened recently with the unions and the residents, the Director of Community Service had spent most of last week talking to residents and explaining the situation to them. In fact, last week there was one meeting with about 14 residents. The Minister misled this Council the other day when he told untruths and, if it was not unparliamentary, I would go even further and say that he told lies.

The PRESIDENT: It is unparliamentary, and I ask the honourable member not to do that.

The Hon. J. R. CORNWALL: Then I will not. What role has the Minister arranged for the Southern Cross organisation? Will the Minister be good enough to tell us? How is it proposed that Windana will be run? Will it be a State-run institution? Will he throw out the Southern Cross institution? What jobs will be created? How will it work? Will it be private sector, public sector or the community sector? What will be the fate of the dedicated staff from Magill if the Minister is allowed to get away with this? Let me assure him that community action will be so enormous that he will not be able to get away with it.

In the event of the closure of the infirmary, what will happen to the elderly residents at the Magill Home if they become ill and require medical and nursing attention?

The Hon. R. C. DeGaris: How many hospital beds are there?

The Hon. J. R. CORNWALL: About the same number as infirmary beds; it is in excess of 100. I cannot tell the honourable member exactly, and it is not germane to this debate. At the moment if those people become ill they can go into infirmary care, temporarily or permanently.

What will happen if the Government closes the infirmary? If a resident develops even a minor illness, as elderly people are prone to do, that patient will be transferred to Royal Adelaide Hospital—if there is any accommodation left after the Minister, with a little help from Laurence, Neild and Partners, gets around to closing the ward. If there is any accommodation left, they will be transferred to Royal Adelaide Hospital, and the burden on taxpayers for an acute bed at that hospital is about $200 a day.

How, in the name of all that is good and holy, can the Minister justify that on economic grounds? The simple answer is that he cannot. Only a desperate Government and a Minister who is desperate because no money is available would contemplate such action. It is only a Government which cannot organise its finances and which is not fit to be the Government of this State that would be involved in such a shoddy ploy.

In regard to finance, the Minister claims it will cost $2 000 000 to upgrade the home. That is a lot of nonsense. The Minister does not have to spend it all in one go; it could be a project over a number of years. He talks about the $2 000 000 as if it was a saving in one year. It is not—that is complete nonsense, and the Government knows it. The only urgent need at the moment to keep the whole Magill Home facility running is Atkinson Ward, and the Minister knows well that his quote is over-inflated at $574 000. If I were the Minister, I would get another quote. I have a friend who is an architect and who has designed numerous hospitals and nursing homes, and he assures me that one could rebuild the entire facility for about $350 000.

Today is D day—decision-making day—the day on which we decide in this State which way to go. That is the high point that I put on the matter; that is how important I believe the matter is. The decision is very simple. Is this a civilised caring community? Do we accept the responsibility of caring for our senior citizens in the twilight of their years, or do we opt out of that responsibility and throw it back on individuals least able to cope, and persist in this rotten nonsense about small government, and these discredited monetarist policies of this Government, the Fraser Federal Government and their counterpart, the Iron Lady, Mrs Thatcher, in the United Kingdom?

The decision is very simple. I know that I speak for all decent and caring citizens in this State when I call on the Minister and the Government to reverse this callous and inhumane decision forthwith.

The Hon. J. C. BURDETT (Minister of Community Welfare): I am rather surprised that the Hon. Dr Cornwall, amongst the many skills which he has laid claim to, considers himself to be an architect, a building contractor, an engineer, and thinks that he knows what would be the amount of money involved.

The Hon. J. R. Cornwall: You'll have to do better than that, because I got the quote from an architect.

The Hon. J. C. BURDETT: I do not care from whom the honourable member got the quote: the advice I have

received from my officers and the Public Buildings Department has been $2 000 000. The honourable member has not attempted to dispute that. He has not said from whom he got his information. Of course, I can operate only on the basis of what I have been advised by competent advisers, and that figure is $2 000 000. The previous Government has a lot that has to be laid home to it about the Magill Home, because it commenced a programme of upgrading the home in 1972, and it had not done a great deal about it.

The Hon. J. R. Cornwall: There are a lot of people listening to this—tell the truth.

The Hon. J. C. BURDETT: There has been a suggestion that I am not telling the truth—I am telling the truth; I always do. I am not sure that the honourable member always does.

The Hon. J. R. CORNWALL: I ask that that comment be withdrawn.

The Hon. J. C. BURDETT: I withdraw that statement, but I am not guilty because I do not tell lies: what I say is the truth. A number of disparate remarks have been made by the honourable member in the course of his rather long, rambling and histrionic dissertation, and I will try to refer to some of it. It is rather difficult to put the comments together.

I refer, first, to his suggestion about the sale of some of the land at Magill Home: there is no suggestion of that. Without any hesitation I can tell him, honourable members and anyone else who may be listening that there has never been any suggestion of ever doing that. There was also a rather strange remark about my alleged lunch at Magill Home yesterday. I did have lunch at the staff development portion of the D.C.W. premises at Magill yesterday, in order to meet some administrators from overseas who had been funded by the Australian Government to spend three months in Australia to observe administration of community welfare.

The Hon. J. R. Cornwall: They could not come to a worse place.

The Hon. J. C. BURDETT: They came to the best place and they said so. They considered it to be the best they had seen of any welfare administrations in Australia.

The Hon. J. R. Cornwall interjecting:

The PRESIDENT: Order!

The Hon. J. C. BURDETT: They had spent most of their time in New South Wales and from what they saw it turned them off. They did not agree that there was a proper delivery of services in New South Wales. They had been to Victoria and were not very pleased with what they saw.

The Hon. J. R. Cornwall: Get back to the matter.

The Hon. J. C. BURDETT: You asked about it. They thought that in South Australia they saw the best delivery of welfare services that they had seen. There was no attempt by me to sneak out any back door. I left at the time that I had to leave because I had another engagement.

The Hon. J. R. Cornwall: That's a falsey.

The Hon. J. C. BURDETT: It is not a falsey. I had no idea that any attempt would be made by anyone at Magill Home to stop me, see me or speak to me. I left at the time prearranged for me to do so. It was as simple as that. I am keenly aware of the problems of the residents and the staff at Magill Home and I would like to discuss the matter. I will go on to speak about Windana and the reasons I gave in my Ministerial statement on Tuesday but I would first say that I do sympathise with the residents and the staff.

I know that residents went into Magill Home and said that they went there and expected to die there; they did not expect to be moved. I know that the staff have a keen concern for the patients at Magill Home. I have never said anything to the contrary. I accept what the Hon. Dr Cornwall has said—not because he said it (as that is not a very good reason) but because I believe it to be true.

The Hon. J. R. Cornwall: Remember that when you are in rough country. It will be on record.

The Hon. J. C. BURDETT: Yes. I believe that the staff at Magill Home are dedicated and that, as they have said to my staff member (who was there not for a short time last week but for all of last week and this week), they do have a concern for their patients. They have even said things like, 'Does the Minister know that he is breaking up our extended family?' Nothing that the Hon. Dr Cornwall has said has bothered me at all. However, what has been reported to me through the Director of Community Services in the department has concerned and upset me quite considerably, because I do realise that the staff do have that kind of concern for the people they have been looking after. There is no question whatever that I am hard-hearted or hard-headed about this. I am sympathetic to the staff and to the patients in their concern. However, the question is, 'What does one do?'

The Hon. J. R. Cornwall: Resign and show how much you think of your colleagues. If you have the courage of your convictions—

The PRESIDENT: Order! The Hon. Dr Cornwall was heard in reasonable silence and I ask that he listen to the answer in silence.

The Hon. J. C. BURDETT: I will tell the honourable member what to do. We have a situation where the indigent aged have to be cared for, and the State in no way resiles from that. The Government has made it clear that it intends to do that and there is no question that it will not be done. We have to look at doing it in the best way that we can. Dr Cornwall said that there would be a loss of 72 beds if the proposal outlined in my statement on Tuesday was proceeded with. That is quite wrong. There will not be a loss of 72 beds. In regard to Windana there were beds which could not be used; there was no way that they could be used. No-one in any State would ever think that, without Commonwealth payments in respect of bed occupancy, the State could run a nursing home. Even the Hon. Dr Cornwall knows that. Windana could not be run by the South Australian Government and there was no way that it ever could have been. There is no question of people waiting. The alternative was that we had at Windana first-class infirmary beds which were not being used and there was no way they could be used. On the other hand, at Magill Home we had a number of beds—

The Hon. J. R. Cornwall interjecting:

The PRESIDENT: Order!

The Hon. J. C. BURDETT: At Magill Home we had a number of beds which were downgraded and substandard. The Government acknowledges that. They had run down during the period of the previous Government, and it would have required $2 000 000 to upgrade and replace them. We were threatened with the withdrawal of the Commonwealth subsidy in respect of the beds within a few weeks unless something was done about it. So, it is not a question of a loss of 72 beds but rather a gain of 36 in bed stock. The State Government is gaining bed stock—it is not losing. When the honourable member spoke he said that there was no guarantee that infirmary patients from Magill Home would get a bed in Windana.

The Hon. J. R. Cornwall: I did not say that at all. I said that they could go anywhere, according to your statement. Do you want to go back on that?

The PRESIDENT: Order!

The Hon. J. C. BURDETT: I made it clear that there is an absolute guarantee that all infirmary patients presently at Magill Home will get a bed but the ones there presently will get one at Windana in almost all circumstances unless

there is some special reason why they should go elsewhere. So, they will not be split up. That is one of the things they have been worried about and it is one of the things that has concerned me. I am worried about it, not because the Hon. Dr Cornwall says so but because my Director has told me that the staff and residents are concerned about splitting up what they call their extended family. Because I am a strong family man, that does concern me. I know that there is a guarantee that they will not be split up; all those there at the present time will go to Windana.

For future infirmary patients, this will not necessarily happen; they may not go to Windana but may go to various places. Those who are in hostel care at the present time and who may need infirmary care in the future may not go to Windana. Those who are in infirmary beds at Magill at the present time will go to Windana and will not be split up. This gives rise to the question about nursing home beds. There are 126 nursing homes in South Australia. There are 69 hostels, of which 40 have their own nursing home attached—not all of them. Magill has a nursing home attached at the present time. So, there is no special mortgage that people have when they go into hostel care to have a nursing home attached.

The Hon. J. R. Cornwall: But it is highly desirable, as you know.

The Hon. J. C. BURDETT: But it does not always apply.

The Hon. J. R. Cornwall: It applies at Magill.

The Hon. J. C. BURDETT: There are 69 hostels, of which only 40 have their own nursing home attached. The eastern region, where Magill Home is situated, has 63 per cent of the infirmary beds or nursing beds in the central Adelaide area. It is quite disproportionate to other areas. The Commonwealth Department of Health advised the South Australian Health Commission that it could not approve any further nursing home beds for South Australia, as the State already exceeds the provision which the Commonwealth Department of Health has set out on a formula basis and which is 50 nursing home beds for each thousand aged persons in the community. So, ultimately, the patients at Magill will go to Windana. There is no suggestion of any financial mess. If there was a financial mess it was that created by the previous Government when it set out on its plan to upgrade Magill Home and did not do so.

The Hon. J. R. Cornwall: Did you inherit a deficit?

The Hon. J. C. BURDETT: I am not talking about the Government generally, I am talking about the situation at Magill.

The Hon. J. R. Cornwall: You're getting worse.

The Hon. J. C. BURDETT: I am not. The honourable member has spent most of his time trying to rubbish the Tonkin and Fraser Governments and has not addressed himself at all to the question he should have been talking about; namely, Magill Home. This is not really an urgency motion on Magill Home: it is an urgency motion on the Federal and State Governments. The honourable member ought to be ashamed of himself for speaking as he has about the State and Federal Governments in general. I have confined my remarks to the Magill Home, because in that respect there has not been any financial mess. The previous Government should have acted, but it did not. We have a nursing home at Magill which is substandard and which would cost $2 000 000 to upgrade to required standards. However, we find that at Windana there are more beds which cannot be used. It would surely be a disgrace and a shame if we have nursing home beds of high standard which we cannot use. It seems to me that, whichever way one looks at it, whether one is a private enterprise person, a socialist, or whatever, where there are facilities of high standard those facilities should be used and taxpayers' money should not be spent (or anybody else's money) to upgrade other facilities.

The main point I make is that if the negotiations I outlined on Tuesday are successful the patients at Magill in the infirmary beds will immediately transfer to first-class nursing home accommodation at Windana. If we did spend $2 000 000, that would be spent over a period, as the Hon. Dr Cornwall said, so the building would take place over a period of time and it would be, I suggest, at least two years, if we did upgrade Magill Home, before there would be any real benefit to patients who are there at present. What we are suggesting is a much more humane alternative than that suggested by the Hon. Dr Cornwall. We are saying that we will do something now.

We have immediately available first-class nursing home beds where people can be accommodated now. The question was asked by the Hon. Dr Cornwall why we had not spoken to the residents or staff before: for a very good reason—we could not talk about alternatives which were not feasible, which were not available and which the Government had not approved. As I said on Tuesday, I think, in answer to a question from the Hon. Dr Cornwall, it was only on Monday that Cabinet approved negotiations with the Federal Government for Southern Cross Homes to go ahead. We could hardly go and talk to the residents and staff about things which had not been approved by the South Australian Government.

My Director of Community Services spent a great deal of time on this matter. She was denigrated by the Hon. Dr Cornwall when he said she spent little time there. In fact, she spent all of last week and most of this week talking about what is going to happen to the staff and residents of Magill Home. I believe that what she has said about this matter has been positively received. Of course the staff do not want to go, although they will still have their jobs. Of course the residents do not want to go, but it is a necessary matter for the Government to decide when it is such a major issue. This is a question on the one hand of spending $2 000 000 or, on the other, of using first-class facilities like these. Ultimately, the Government has to make up its mind. The staff and residents will be consulted and helped as much as possible. That is exactly what we are trying to do now. The conditions when the residents go to Windana will be exactly the same financially and otherwise as they are at Magill, but the facilities will be of a much higher quality. I have been somewhat disappointed that some of the people from the unions who have talked to the staff and residents have made all sorts of false allegations. Acccording to what has been reported to me, Southern Cross Homes normally requires a $3 000 payment before one goes into hostel or infirmary care in its homes, and this is what is expected in this case. That is quite false, and the unions must have known that that was false. What we have been negotiating for is for people in infirmary care at Magill Home at present to have exactly the same care, with better facilities, at Windana.

The PRESIDENT: The Hon. Mr Davis and the Hon. Mr Foster both being on their feet, I give the Hon. Mr Davis the call as I have been given his name.

The Hon. L. H. DAVIS: Dr Cornwall has been long on emotion—

The Hon. FRANK BLEVINS: I rise on a point of order. When the Hon. Mr Foster and the Hon. Mr Davis rose at the same time you, Mr President, made the remark that you had been given the name of Mr Davis by the Whip.

The PRESIDENT: That order is the way you gave them to me.

The Hon. FRANK BLEVINS: You will also recall, Sir, that I gave you the name of Mr Foster.

The PRESIDENT: Order! The Hon. Mr Davis has the call. If the honourable member wants both Mr Davis and Mr Foster to speak, I suggest he let them do that instead of wasting time. The Hon. Mr Davis.

The Hon. L. H. DAVIS: Mr President—

The Hon. FRANK BLEVINS: I rise on a point of order. My point of order is that it is customary in this Council to call a member first from one side and then from the other.

The PRESIDENT: Indeed.

The Hon. FRANK BLEVINS: Both names were given to you this afternoon. I did, when I gave you Mr Foster's name, indicate that we would be expecting a call from this side after the Minister had spoken. I see no reason whatsoever why the traditions and practices of this Council should be breached on this occasion.

The Hon. N. K. Foster: Can there be an extension of time on this?

The PRESIDENT: The Hon. Mr Davis.

The Hon. L. H. DAVIS: The Hon. Dr Cornwall has, as usual, been long on emotion and innuendo and short on facts. He is the finest professional knocker in South Australia. He complains about this decision because of the alleged loss of 72 beds for the frail, sick and aged. As the Minister explained, that is palpable nonsense, because the fact is that, put in a nutshell, the decision made by the Government and announced by the Minister on Tuesday represents an additional 18 beds for the aged and a saving of $1 750 000. Magill Home is operated by the Department for Community Welfare. It would have cost $2 000 000 to upgrade it.

The PRESIDENT: Order! Call on the Orders of the Day.

The Hon. J. R. CORNWALL: Mr President, it is customary in these circumstances, although it is purely procedural, to seek leave to withdraw the motion. That is the way we do things in the Upper House. Therefore, I seek leave to withdraw my motion.

Leave granted; motion withdrawn.

The PRESIDENT: I wish to make one point very clear, so that the Hon. Mr Foster or any other honourable member does not receive the wrong impression that I was in any way endeavouring to manoeuvre the Hon. Mr Foster out of speaking. I was given the names of the speakers in order, believing that the order was arranged by the Whips. I called the names of the speakers in that order.

QUESTIONS

REPLIES TO QUESTIONS

The Hon. ANNE LEVY (on notice) asked the Attorney-General: When can answers be expected to the following questions:

1. On school canteens, asked on 17 September 1981.
2. On pregnancy terminations, asked on 22 September 1981.
3. On pap smears, asked on 23 September 1981.
4. On farm trees, asked on 24 September 1981.
5. On disposable nappies, asked on 24 September 1981.
6. On pregnancy terminations, asked on 24 September 1981.
7. On abortion committee, asked on 29 September 1981.
8. On English class, asked on 30 September 1981.
9. On abortion pamphlet, asked on 30 September 1981.
10. On education funding, asked on 1 October 1981.
11. On class sizes, asked on 1 October 1981.

The Hon. ANNE LEVY: Since I placed this question on notice I have received replies to three of the questions, and I have also been informed that replies to four others are available, but because of the urgency motion they will not be given today. That still leaves four questions, I think Nos. 2, 4, 5, and 10, unanswered.

The Hon. K. T. GRIFFIN: I ask the honourable member to place part of the question (relating to unanswered questions) on notice for 10 November.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

The Hon. K. T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Criminal Law Consolidation Act, 1935-1980; and to make consequential amendments to the Acts Interpretation Act, 1915-1978.

The Hon. Frank Blevins interjecting:

The PRESIDENT: Order! I will name the Hon. Mr Blevins if he does not come to order.

The Hon. Frank Blevins: It does not worry me in the slightest, Mr President.

The PRESIDENT: It does not worry me, either. However, I can hardly let the Hon. Mr Blevins sit there and continually make those sorts of accusations. I have attempted to treat him fairly.

The Hon. Frank Blevins: I am treated unfairly every day.

The PRESIDENT: Order! That is a complete reflection against the Chair.

The Hon. Frank Blevins: It is the truth.

The PRESIDENT: If the Hon. Mr Blevins believes that is so, I take umbrage at that accusation and I ask him to withdraw.

The Hon. FRANK BLEVINS: Mr President, I take exception to having had to sit here on this side for the last two years and put up with the treatment that I have received.

The PRESIDENT: Will the Hon. Mr Blevins withdraw or not?

The Hon. FRANK BLEVINS: Certainly, I will withdraw, Mr President, because I would not give you the satisfaction of naming me. That is what we all think.

The PRESIDENT: The Hon. Mr Blevins is not withdrawing.

The Hon. FRANK BLEVINS: I withdraw again, Mr President. Do you want an apology? I am even willing to apologise—anything you like. But look out from now on.

The PRESIDENT: I will accept that, if it can be considered as some sort of an apology.

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

That this Bill be now read a first time.

Bill read a first time.

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

That this Bill be now read a second time.

It reviews the penalties for crimes involving violence and rationalises the penalties for attempts to commit offences. It also deals with accessories to crimes. The Government is reviewing the penalties for all criminal offences. This Bill is the first of a series which will ensure that the penalty which can be imposed by a court adequately reflects the gravity of the crime. There is concern in the community about the increasing prevalence of all kinds of crimes of violence, including child bashing. There is also concern that the penalties imposed by courts on those who commit crimes of violence are too low.

In many instances the courts have little alternative but to impose sentences which may be regarded by many as inadequate. Maximum penalties are reserved for the most serious cases and courts are loathe to impose maximum penalties because of the difficulty in predicting that the

case in question is the most serious one imaginable. The difficulties encountered by the courts can be illustrated by looking at sections 23 and 40 of the Criminal Law Consolidation Act. These sections provide for maximum penalties of three years for the offences of unlawful wounding and assault occasioning actual bodily harm. Persons charged with these offences may have committed serious crimes such as firing shots in the general direction of police officers when evading arrest or inflicting quite severe injuries on children. Yet the maximum sentence a court can impose is three years.

Penalties such as these place severe limitations on a sentencing judge and do not allow him to give appropriate weight to relevant considerations, such as the seriousness of the assault and the injuries inflicted or the previous violent record of the offender.

This Bill provides for quite significant increases in penalties for assault, in the case of sections 23 and 40 of the Act referred to earlier, from a maximum of three years imprisonment to a maximum of five years, or where the victim was at the time of the commission of the offence under the age of 12 years, eight years. With increased penalties the courts will be able to deal more realistically with offenders and impose sentences which are appropriate to the gravity of the offence and reflect the community's abhorrence of violence.

The Bill also provides for significant increases in the penalties that can be imposed on accessories. Accessories have been dealt with lightly hitherto. There are situations where a person giving assistance to an offender is deserving of a term of imprisonment and the present maximum penalty of two years imprisonment is grossly inadequate, bearing in mind the reservation of the maximum for the most serious cases. Accordingly, the maximum penalty for being an accessory after the fact to a felony is generally increased to five years, while the penalty for accessory after the fact to murder is increased to 10 years. The offence of accessory after the fact to murder is often very serious. It can involve the secreting, burial or destruction of a body, perhaps the body of a victim the accessory has just seen murdered by the principal offender.

When the penalties which may be imposed on those who attempt to commit crimes were examined it was found that there was no rationality in the law at all. For example, the penalty for the common law misdemeanour of attempting to commit a felony is two years. For some attempts, specific penalties are laid down. For example, attempted murder where the penalty is imprisonment for life and attempted rape where the penalty is seven years. No specific penalty is laid down, for example, for attempted armed robbery, so the maximum penalty is only two years, which is clearly inadequate. The penalties for attempts are rationalised by providing that the maximum penalty for attempting to commit murder or treason is life.

For other offences, where life is the maximum penalty for the principal offence, the maximum penalty for an attempt is 12 years, and in all other cases the maximum penalty for an attempt will be two-thirds the maximum penalty for the principal offence.

Special consideration has been given to the offence of assault with intent to commit another crime. This offence may not have the same elements as an attempt to commit the principal offence and, therefore, an option is included in the Bill that the maximum penalty should be seven years or not exceed the penalty for an attempt to commit the principal offence.

The Bill should also be seen as yet another initiative by the Government to deal with crime. Mandatory non-parole periods, appeals by the Crown against lenient sentences, and the removal of the limit on the Supreme Court and the District Court in the imposition of cumulative sentences for a series of offences are part of the context into which this Bill fits. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1, 2 and 3 are formal. Clause 4 repeals section 18 of the principal Act. This section presently deals with attempts to commit murder and the substance of the provision is now to be included in the proposed new section 270a. Clause 5 amends section 23 of the principal Act which deals with unlawful and malicious wounding. The maximum penalty for this offence is increased from three years to five years or, where the victim was at the time of the commission of the offence under the age of 12 years, eight years.

Clause 6 amends section 39 of the principal Act which deals with the offence of common assault. The penalty for this offence is increased from a maximum of one year to a maximum of three years. Clause 7 amends section 40 of the principal Act which deals with the offence of an assault occasioning actual bodily harm. The maximum penalty for this offence is increased from three years to five years or, where the victim was at the time of the commission of the offence under the age of 12 years, eight years.

Clause 8 amends section 43 of the principal Act. The first amendment removes paragraph *(a)*, which deals with an assault with intent to commit a felony. This provision is now to be dealt with in new section 270b of the principal Act. The amendment also increases from two years to five years the maximum penalty for assaulting, resisting or wilfully obstructing a police officer in due execution of his duty or assaulting a person with intent to resist or prevent lawful apprehension for an offence. Clause 9 amends section 48 of the principal Act which deals with the crime of rape. Subsection (2) which deals with attempted rape is struck out for that offence is now to be dealt with in the proposed new section 270a. Clause 10 amends section 49 of the principal Act which deals with unlawful sexual intercourse. The references to attempted offences are struck out for these are now to be included within the general provision of section 270a.

Clause 11 repeals and re-enacts section 56 of the principal Act which deals with indecent assault. The present penalty for this offence is a maximum of five years or, where the offence is a subsequent offence, a maximum of seven years. The amendment provides for a maximum of penalty of eight years for this offence or, where the victim was at the time of the commission of the offence under the age of 12 years, a maximum of 10 years. Clause 12 amends section 58 of the principal Act which deals with procuring commission of acts of gross indecency. The amendment removes the reference to an attempt, because attempts to commit this offence will come under proposed section 270a.

Clause 13 makes a similar amendment to section 63, which deals with procuring persons to become prostitutes. Clause 14 makes a corresponding amendment to section 64 which deals with procuring persons to have unlawful sexual intercourse. Clause 15 removes the reference to an attempt from section 69 which deals with the offence of buggery. Clause 16 repeals section 87 of the principal Act which deals with an attempt to set fire to a building. Clause 17 repeals section 89 of the principal Act which deals with an attempt to set fire to crops.

Clause 18 repeals section 92 which deals with an attempt to set fire to a mine. Clause 19 strikes out section 115 *(a)* of the principal Act which deals with an attempt to kill, maim, poison or injure cattle. Clause 20 amends section

138 of the principal Act by removing the reference to an attempt to kill or wound deer, llama or alpaca. Clause 21 repeals section 156 of the principal Act which deals with an assault with intent to rob. This offence is to be subsumed under the provisions of proposed section 270b. Clause 22 amends section 205 of the principal Act which deals with the offence of personating the owner of any share or interest in the capital of a body corporate. The reference to an attempt is removed by the amendment.

Clause 23 amends section 238 of the principal Act by removing reference to an attempt to set a prisoner at liberty. Clause 24 amends section 268 of the principal Act. This section deals with accessories after the fact to felonies. The amendment increases the maximum penalty for this offence from two years to five years or, where the felony to which the offender became an offender was a homicide, 10 years. Clause 25 amends section 270 by removing attempts to commit felonies from the catalogue of common law misdemeanours contained in subsection (1) of that section.

Clause 26 is the major provision of the Act. It enacts new sections 270a and 270b of the principal Act. Section 270a provides that a person who attempts to commit an offence (whether the offence is constituted by statute or common law) is guilty of the offence of attempting to commit the principal offence. Subsection (2), however, provides that where, under the provision of any other Act or any other provision of the principal Act, an attempt is constituted as an offence the new section does not apply in relation to that offence and does not operate to create a further or alternative offence with which a person who commits the former offence might be charged. Subsection (3) sets out the penalty for an attempt.

In a case of attempted murder or attempted treason the penalty is to be life imprisonment or imprisonment for some lesser term; where the penalty or maximum penalty for the principal offence (not being treason or murder) is life imprisonment, the penalty for the attempt is to be imprisonment for a term not exceeding 12 years; in any other case the penalty is to be fixed at two-thirds of the maximum penalty prescribed for the principal offence. Subsection (4) provides that, where the principal offence is an indictable offence, an attempt to commit that offence shall also be an indictable offence; where the principal offence is a minor indictable offence, an attempt to commit that offence shall also be a minor indictable offence, and, where the principal offence is a summary offence, an attempt to commit that offence shall also be a summary offence. New section 270b provides that a person who assaults another with intent to commit a felony or indictable misdemeanour is guilty of an indictable misdemeanour. The penalty for such an assault is to be imprisonment for a term of up to seven years, or imprisonment for a term not exceeding the maximum that could be imposed for an attempt to commit the principal offence, whichever is the greater.

Clause 27 amends the Acts Interpretation Act. Definitions of 'minor indictable offence' and 'summary offence' are included within the general definitions included in that Act. Section 32 of the Acts Interpretation Act which presently deals with attempts to commit summary offences is removed by the amendment.

The Hon. C. J. SUMNER secured the adjournment of the debate.

BUILDING ACT AMENDMENT BILL

The Hon. C. M. HILL (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Building Act, 1970-1976. Read a first time.

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

That this Bill be now read a second time.

This short Bill effects two significant changes to those areas of the Building Act that relate to the Building Advisory Committee. First, the Bill seeks to change the current situation whereby the Minister responsible for the administration of the Act is unable to recommend to the Governor any alterations to the regulations under the Act unless the Building Advisory Committee has first recommended the proposed alterations. The Government believes that this constraint in effect invests more power in the committee than is appropriate for an advisory body. The Bill provides for a much more satisfactory situation whereby the Minister will continue to consult with the committee over any proposed amendments to regulations, but will have the ultimate right to decide whether or not such amendments are to be submitted to the Governor.

The Bill also seeks to increase from six to a maximum of 10 the membership of the Building Advisory Committee. This will enable further appointments to be made of persons who have direct experience in the building industry, whether as building contractors or professionals involved in building design. Consideration will also be given to appointing a person who is an elected member of local government and who has experience in the building industry and a good working knowledge of the building regulations.

Clause 1 is formal. Clause 2 amends the regulation-making power by providing that the Governor may make any regulations after the Minister has consulted with the Building Advisory Committee. Clause 3 provides that the Building Advisory Committee shall consist of not more than 10 members.

The Hon. C. W. CREEDON secured the adjournment of the debate.

COOBER PEDY (LOCAL GOVERNMENT EXTENSION) BILL

Third reading.

The Hon. C. M. HILL (Minister of Local Government): I understand that the fair print of the Bill is not available. Accordingly, I move:

That Standing Order 314 be suspended to enable the Bill to be read a third time without the Chairman certifying the fair print of the Bill.

Motion carried.

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

That this Bill be now read a third time.

The Hon. R. C. DeGARIS: I should like to comment on the third reading of the Bill, which was subjected to a Select Committee inquiry. We all hope that the gradual movement to local government in Coober Pedy succeeds. Although the Bill adopts a rather novel method, it is, I believe, a step that will take the Coober Pedy area eventually to the point of having full local government.

The point that I want to raise now is that Coober Pedy, in utilising its partial local government powers, will be governed by a committee that is elected as a block at each election; in other words, six members will be elected at each election. There are in South Australia three or four local government areas that elect their councillors over the whole area. Other councils elect their councillors by means of ward representation.

One of the things that worries me about the present Coober Pedy Bill is that it is possible, with the voting system, that one particular group could gain all positions

on the council; in other words, there would not be any degree of representation except absolute representation from one group. As more and more of local government expresses an interest in dispensing with the ward system, which will happen and indeed is already happening, and elections are held over the whole local government area, this problem will become of interest to Parliament. Therefore, I should like the Government to investigate the question of enlarging the scope or choice of voting systems available to local government or, as in the Coober Pedy area, groups that carry out some function under the Local Government Act.

We have on the Statute Book the Ballot Act, which does not play very much of a part in our modern voting system. Nevertheless, I suggest that we ought to lay down therein voting methods and systems that are approved for local government and Government elections.

We should provide in that Act for local government to have the right, if it so desires, to use a system of proportional representation voting. As you, Sir, can no doubt see, some local government organisations such as that at Coober Pedy are to a certain degree organising local government boards, and where, in their voting system, one particular group (be it a political group, such as the Australian Labor Party or the Liberals, an ethnic group or any other group) dominates every position on a council with slightly more than 50 per cent of the vote, one can see that a great deal of difficulty is likely to be experienced.

I commend to the Government an examination of changing the Local Government Act so that areas such as Coober Pedy and others that are using elections over their whole areas have a choice of using a democratic voting procedure, such as proportional representation, for multi-member electorates. I see no reason why a council, such as Kimba, which has advocated this move for a very long time, should not be under the Local Government Act and have the right to adopt a perfectly just and fair system of voting in its local government area. One of the things that concerns me in this Bill is that in Coober Pedy one particular group could, if properly organised, take all positions on that council, and that could not be described as reasonable representation.

The Hon. C. M. HILL: I join with the Hon. Mr DeGaris in commenting that I hope the situation he envisages as a possibility in Coober Pedy does not occur. Regarding the general principle that he brought to the notice of the Government, concerning an alternative procedure in relation to voting for local government, that proposal will be given full consideration in the major revision of the Local Government Act that is in train at the moment.

Bill read a third time and passed.

BUDGET PAPERS

Adjourned debate on motion of Hon. K. T. Griffin:

That the Council take note of the papers relating to the Estimates of Payments and Receipts, 1981-82.

(Continued from 22 October. Page 1525.)

The Hon. K. T. GRIFFIN (Attorney-General): It is appropriate for me now to close the debate on this motion. I indicate that I intend to speak at greater length in the reply on the Appropriation Bill. This motion is an appropriate means by which honourable members can have the opportunity to examine the Budget papers at a much earlier stage than we could ordinarily expect to receive the Appropriation Bill. It is an opportunity for members to speak on the Budget papers before the Appropriation Bill is received. The major review of the Budget papers takes place in the House of Assembly over a much longer time than is usually available in the Legislative Council. This motion is a means by which we can reduce the period of time taken to review the Appropriation Bill when it is received in this Council.

I am grateful to those members who have spoken on this motion to note the Budget papers. This ensured that we did not have to sit late in the evening on the Appropriation Bill. I hope that in future the practice will continue and that honourable members on both sides of the Council will speak to the motion, to ensure that there is a proper opportunity for them to express their views on the financial matters that are referred to in the Budget papers and the Appropriation Bill. It is correct that there is no obligation on any member of the Council to speak on the motion in preference to speaking on the Appropriation Bill. Far be it from me to seek to require that sort of regulation. However, it is a useful means of giving more opportunity to members to examine the Budget papers. I appreciate the consideration which those members who have spoken on this motion have given to the papers.

Motion carried.

APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from 28 October. Page 1644.)

The Hon. K. T. GRIFFIN (Attorney-General): I have already made remarks on the motion to note the Budget papers as to the procedure that has been followed in the Council to give all members an adequate opportunity to scrutinise the Budget papers. I appreciate the consideration that honourable members have given to the Appropriation Bill, and I appreciate their comments on the Bill during the past several days.

I do not want to deal in detail with the range of matters that honourable members have drawn attention to; rather, I want to complement the material that is already in the Budget papers, by some updated material, because that is relevant to some of the criticism that has been made by honourable members opposite to the Government's budgetary strategy. I draw attention to several useful indicators in a review of economic performance in the State in October 1981. I refer first to retail sales. The figures to which I draw attention are from the Australian Bureau of Statistics and they are preliminary estimates for the June quarter. In the June quarter of 1981, there was a retail sales figure of $728 300 000, seasonally adjusted. That is 2.1 per cent higher in real terms and 10.9 per cent higher in money terms than the figure for the June quarter 1980 sales. Total retail sales for 1980-81 were valued at $2 840 000 000, which was up by 3.5 per cent in real terms and 12.7 per cent in money terms on the sales figure for 1979-80.

Regarding non-residential building activity in South Australia, which continued to brighten during August of this year, approvals for the first eight months of 1981 totalled $191 400 000, which was up by some $39 000 000, or 16.3 per cent in real terms, compared to the figure for the first eight months of 1980. Within this total, the value of approvals for factories has grown by 132 per cent and approvals for shops is up by 39.7 per cent. This is clearly an indication of the growing confidence in South Australia. The Australian Bureau of Statistics labour force survey indicates that there are developments in South Australia well above normal seasonal movements for the month of September.

The Hon. C. J. Sumner: Abnormally above.

The Hon. K. T. GRIFFIN: No, normally. Let me give you the figures. It is important to recognise that the labour force in South Australia was estimated at some 614 600

during September 1981. This was 9 900 higher than for August 1981 and 12 200 higher than for September 1980. Associated with this, there has been a sharp rise in the participation rate from 60.7 per cent during August, to 61.7 per cent during September. The most pleasing aspect of the results is that, rather than the sharp rise in the participation rate resulting from an increase in unemployment, employment is estimated to have grown strongly while unemployment is falling.

Total employment in South Australia in September 1981 is estimated at 566 800, up by 10 500 on the August figure, and 14 400, or 2.6 per cent higher than in September 1980. Unemployment in South Australia for September was estimated at 47 700 or 7.8 per cent of the work force, which is 600 fewer than for August, and 2 300 fewer than during September 1980. The fall in unemployment during September 1981 is the reverse of the September 1980 outcome, when unemployment increased from 47 700 to 50 000 persons.

It is important to repeat the summary of the A.B.S. figures over the past four years. In August 1977, 568 000 persons were employed and 38 500 were unemployed; in August 1979, 547 400 were employed and 45 300 were unemployed. Honourable members can see from a comparison of those figures that about 20 600 jobs were lost in those two years, and 6 800 more people were unemployed during that period. If we go further to the September 1981 figures, as I have already indicated, 566 800 persons were employed and 47 700 were unemployed. That means that in the past two years about 19 400 more jobs were created. Clearly, 2 400 more persons were unemployed, so that the rate of job creation is increasing and accelerating, whilst the rate of unemployment increase is diminishing. The trends which are demonstrated by those figures are most encouraging and signify that there is a substantial improvement in the job situation and economic situation in South Australia up to, and including, September this year.

The other interesting area concerns population growth. The Premier made a statement in another place yesterday which draws attention to South Australian population trends. For the record, it would be helpful if I were to indicate the extent of the area included by that statement. The Premier referred to the recent A.B.S. figures, which indicated that South Australia's population is increasing.

The Hon. C. J. Sumner: No-one has ever said it was not increasing—it is just increasing much less than in any other State.

The Hon. K. T. GRIFFIN: At 30 June 1981 the population in South Australia was 1 308 800, an increase of 9 000, or .69 per cent up on the figure for the previous year. That is the highest rate of increase in South Australia in the past three years.

The Hon. Anne Levy interjecting:

The Hon. K. T. GRIFFIN: South Australia was so far behind the eight-ball after the last nine years of Labor Government that it is no wonder that the rate of improvement is slower. We started from a much more depressed base.

Members interjecting:

The Hon. K. T. GRIFFIN: The same applies to population figures. The rate of population growth is increasing. It is unfortunate that there is some sort of misleading impression being given that South Australia's population is falling—that is not true.

The Hon. Anne Levy: The birth rate is falling, not the population.

The Hon. K. T. GRIFFIN: During 1980-81, 6 860 people emigrated interstate from South Australia, while 6 633 people migrated to South Australia from overseas. Therefore, the net loss from migration for the financial year was 227. The net loss for the previous year was 3 532, which clearly shows that the trend has been reversed. If one looks at quarterly figures, one gets an even clearer picture of the trend.

The net effect of migration on South Australia's population for the four quarters of 1980-81 was as follows: for the September quarter, a net loss of 1 216; the December quarter showed a net increase of 420; the March quarter showed a net increase of 113; and the June 1981 quarter showed a net increase of 456. Although there is an overall loss of 227 for the financial year, that loss was sustained in the September quarter and has obviously been reversed in three subsequent quarters. Also, it is important to put South Australia's position in respect of migration into a proper context because in the past year about 12 922 people moved from Victoria, and 12 548 people moved from New South Wales. There is a constant movement between the States, and South Australia is not alone in the movement of people into and out of South Australia from the other States.

The population trend is not a disturbing one: it is encouraging in the light of the information that I have given. The Hon. Anne Levy referred to the birth rate, and in 1980-81 the national increase in South Australia's population was 9 224, which is the highest increase for two years.

The Hon. Anne Levy: What does that have to do with the birth rate?

The Hon. K. T. GRIFFIN: That is the natural increase.

The Hon. Anne Levy: That is the number of births. The birth rate is the number of babies per thousand women of reproductive age—that is falling.

The Hon. K. T. GRIFFIN: The figures I am giving indicate an increase in the population of South Australia.

The Hon. Anne Levy: I am not denying that—there are more people in the reproductive age group.

The Hon. K. T. GRIFFIN: Good. Overseas migration into South Australia in 1980-81 was the highest for nearly 10 years, with 6 633 people coming to South Australia from overseas. There are a number of other encouraging aspects to the South Australian economy. Already, during the Address in Reply debate, I have given an extensive list of the developments occurring in South Australia, both in the commercial and industrial sector, as well as the resource development sector. One has only to read some of the reports in the daily newspapers in the past week to gain some feeling of the optimism that is apparent in the north of South Australia. The whole South Australian community needs to absorb that information and support it, because there is no doubt that the resource development occurring in South Australia is projected to be a most significant development. It will have dramatic impact on the South Australian economy and on the potential for South Australians to gain employment in industry in South Australia.

So, far from being a sad Budget, far from being a Budget of doom and gloom, this Budget sets the scene (as did last year's Budget) for the emphasis which this Government places on encouraging private enterprise development in South Australia, encouraging an air of confidence in South Australia and encouraging industries, commerce, and people generally to come to South Australia.

Before concluding, I refer to two other matters which have been mentioned by members opposite. I say no more than that they make fascinating reading. First, the Hon. Mr Blevins professed support for some form of capital gains tax to be implemented in South Australia or nationally; he does not mind which. It is a clear indication that, should the Labor Party return to office in South Australia or at the Federal level, we can certainly look forward to a very strong move towards a capital gains or wealth tax. It is to the Hon. Mr Blevins's credit that he has made no secret of that; nor did his colleague, Mr Duncan, when several years

ago he began to profess strong support for such a form of taxation.

The other important reference is that of the Hon. Mr Foster when he drew attention to the A.L.P.'s policy to abolish the Legislative Council. I suggest to all South Australians that if that policy is implemented it will be a very sad day for democracy in South Australia. I thank honourable members for their support of the Appropriation Bill and hope that it will proceed through the remaining stages as quickly as possible.

Bill read a second time.

In Committee.

The Hon. FRANK BLEVINS: Mr Acting Chairman, I draw your attention to the state of the Committee.

A quorum having been formed:

Clauses 1 and 2 passed.

Clause 3—'Interpretation.'

The Hon. C. J. SUMNER: Clause 3 refers to the financial agreement between the Commonwealth and the State. The Premier, in his statement on the House of Assembly Budget papers, said that he had not included an appendix statement to the Budget speech on this occasion in regard to the Commonwealth-State financial relations. He said that a supplementary statement was to be provided at some time. In the second reading debate, I asked the Attorney-General whether or not an opportunity would be provided to debate that supplementary statement, given that we have not had the opportunity to canvass the Commonwealth-State financial relations in any detail on this occasion. I certainly avoided it because the Premier had not provided his customary statement. I ask the Attorney-General whether an opportunity will be provided to the Council to debate the supplementary statement of the Premier when it arrives.

The Hon. K. T. GRIFFIN: I know that the Leader raised the matter. I have endeavoured to obtain some detail from him, but I have not yet been able to do so.

The Hon. C. J. Sumner: We want to know whether there will be a debate.

The Hon. K. T. GRIFFIN: It will depend on the form in which the material comes before both the Assembly and the Council. I am not aware of the details of that statement. I can only indicate that if it is material which is tabled and which is appropriate for discussion there will be an opportunity for debate. I can take it no further than that.

The Hon. C. J. SUMNER: The valid point I make is that it is customary for the Premier and Treasurer, in presenting the Budget papers, to include an analysis of the Commonwealth-State financial position. On this occasion, the Premier and Treasurer quite clearly said in his statement that he had not appended that information on this occasion. I would have thought that the Budget papers were in a sense incomplete on this point and that an undertaking should be given that a debate will ensue on this aspect when the paper is finally made available. That is the undertaking that I am seeking.

The Hon. K. T. GRIFFIN: I cannot give that undertaking at this stage.

Clause passed.

Clause 4 passed.

Clause 5—'Power to borrow.'

The Hon. C. J. SUMNER: Clause 5 deals with the power to borrow by the Treasurer in accordance with the financial agreement. This raises the whole question of the State loan funds and brings into issue the situation in which we now find ourselves with the Government having used its loan funds for what will be two successive years at the end of this financial year to the tune of $81 300 000 to prop up its revenue account. I said in my second reading speech that this was the most disastrous State Budget ever presented, certainly in modern times. I illustrated that by incorporating a table into *Hansard* which indicated that there had been only two previous occasions since 1949 when money allocated for capital works through the Loan Council pursuant to the financial agreement between the States was used. In 1958-59, $1 200 000 was used from the loan account to prop up the revenue account, and in 1978-79 the sum of $5 600 000 was so used. The important point is that in 1978-79 it was a budgeted transfer; it was foreseen at the beginning of the year. That was a fairly modest sum in today's terms, given the precedent that this Government has now set. The important thing is that it was budgeted for, and it did not leave the State's loan account in a difficult position. At the end of that year there was a Budget surplus on the two accounts, in any event.

What we have on this occasion is quite unprecedented—an amount of $81 000 000, $37 000 000 in the financial year 1980-81 and $44 000 000 projected for this financial year, out of, for the two years, a total loan budget of about $400 000 000 in round figures (almost 25 per cent of loan funds), being used to prop up revenue account. That is completely unprecedented and it leads me to describe this Budget as the worst financial mismanagement of a State Budget in modern times. I do not believe that members opposite could seriously dispute that fact.

The point which I wish to make now and which I made briefly during the second reading debate is to question what will be the reaction of the Commonwealth Government to this situation. What will be the attitude of the Loan Council to this position? What the Tonkin Government has done is request from the Commonwealth Government and the Loan Council (the other Premiers and Treasurers, and the other State representatives) a certain amount of loan funds for projects that will, or should in the end, produce a capital asset. Instead of that, the Tonkin Government (alone, I believe, of any of the State Governments in Australia) has used this $81 000 000 over a two-year period to keep the State running, in effect depriving the State of $81 000 000-worth of hospitals, community health centres, schools, you name it—assets that loan funds are normally used for in this State. They are used to build something concrete, something of worth to the State.

The Hon. J. R. Cornwall: They used to be.

The Hon. C. J. SUMNER: Yes, they used to be. The important thing is that the State pays interest on the money loaned, so what we have now is the State paying interest on $81 000 000 without any asset to show for that money. I cannot see how honourable members opposite can be at all happy about that position. It is a total financial disaster. The question is what attitude the Commonwealth Government will adopt as the dominant partner in the Loan Council and what attitudes other States adopt on the Loan Council, given that they have not used this procedure.

The Hon. K. T. Griffin: Other States have used it.

The Hon. C. J. SUMNER: They have not done so this year; the Attorney can check the situation. The Hon. Mr DeGaris gave that information in the Council yesterday. I think he said that perhaps one State had made some minor shift in loan funds, but nothing to the order of $81 000 000.

The Hon. K. T. Griffin: They are making the changes in the current year.

The Hon. C. J. SUMNER: The question that has to be raised is what attitude the Loan Council will adopt when almost 25 per cent of its authorised money, paid specifically for capital works (traditionally the purpose for which loan moneys are used), is being used for recurrent matters. I ask the Attorney-General whether the Treasurer has had any correspondence with the Commonwealth Government about this procedure and, if so, what has been the result of that correspondence or other contact. Also, does he have any

idea what the Commonwealth Government and the Loan Council attitude is likely to be to this massive transfer of capital works funds?

The Hon. K. T. GRIFFIN: The attitude of the Loan Council, quite simply, will be that it will not object to the transfer of loan funds to revenue. All States are having difficulty in the current year. Tasmania is probably having more difficulty than the other States, but Western Australia, New South Wales, Victoria to some extent, and to a much lesser extent the State of Queensland, are having trouble. Queensland is not having as much trouble, because it is further advanced in its development and has been able to generate revenue from its significant resource development, revenue which we expect to be able to develop in South Australia within the next two or three years and which, if we had got off the ground in the early 1970s with substantial resource development, we would now be in a position to draw upon as much as Queensland is.

The Hon. C. J. Sumner: What were you going to do in the early 1970s that we did not do?

The Hon. K. T. GRIFFIN: The Labor Government was so much anti-private enterprise and so much oriented towards the Government doing for people the things that they ought to do for themselves and being involved in business enterprises that went bad, that the business community—

The Hon. C. J. Sumner: Not to the extent of $81 000 000, that's for sure.

The CHAIRMAN: Order!

The Hon. K. T. GRIFFIN: The business community was thoroughly disenchanted with the Dunstan era of Government. The Leader asks what we would have done that his Government did not do and what we would not have done that his Government did. Certainly we would not have got involved in the Riverland cannery and we would not have got involved with Golden Breed.

The Hon. C. J. Sumner: You would have let Riverland go, would you?

The Hon. K. T. GRIFFIN: We would have handled the cannery quite differently, and it would be a viable operation now.

Members interjecting:

The CHAIRMAN: Order!

The Hon. K. T. GRIFFIN: Because of the incredible ineptness of the previous Government and its pouring of so much public funds into that operation as well as into the Frozen Food Factory and other enterprises, this Government on reaching office, needed tens of millions of dollars to extricate itself from the shockingly poor business judgment of the previous Government. The Loan Council will not raise any difficulties with the internal budgeting activities of a State Government.

I think that the other thing that needs to be said is that it is all very well to be purist about whether one should apply loan funds only to capital works or whether they can be transferred to recurrent expenditure, but there are many expenditures which are characterised as recurrent and which provide benefits of a capital nature in the future. Reduction in tax, for instance, can lead to future benefits and may well be designed for that purpose in areas such as tax concessions to stimulate economic growth. There is some justification in this sort of case for taxpayers in the future meeting the cost of bridging the tiny gap between immediate revenue reduction and subsequent attention to expenditure constraints. It is not a black-and-white issue, as the Leader, in his simple accounting approach to this matter, would seek to make it. There is expenditure from revenue on capital items and there is expenditure from loan account on what would be recurrent costs. This Government is doing that with the specific objective of stimulating the economy in South Australia, building confidence and attracting industry to South Australia.

The Hon. C. J. SUMNER: When does the Government expect that it will be able to stop the transfer of loan funds to revenue? When does it expect that the $9 000 000 record deficit that it has incurred for this year is likely to be adjusted?

The Hon. K. T. GRIFFIN: There is no doubt that the future is very much brighter than the past has been. I am not prepared to give any categorical assertion as to when the transfer of loan funds to revenue will cease. One would hope that it would be in the next or subsequent financial years. I am not responsible for the Treasury. I will refer the matter raised by the honourable member to the Treasurer. I am not sure that the question can be answered so far in advance.

Clause passed.

Clause 6—'Appropriation.'

The Hon. J. E. DUNFORD: My questions are directed to the Minister of Consumer Affairs. It was revealed in the media on 30 September 1981 that a coupe took place at the annual general meeting of the Adelaide Permanent Building Society. At that meeting, Mr M. B. Booth and Mr H. Hooper were elected as directors of the society. I believe both these men, who I understand arc land or real estate agents, were elected improperly and illegally.

I would like to point out to the Minister that the rules of the Adelaide Permanent Building Society are quite different from those of other building societies, which are far more democratic. I would like to quote from the rules of the Adelaide Permanent Building Society and then contrast those rules with two other building societies, the Hindmarsh Building Society and the Co-op Building Society. Rule 70 of the Adelaide Permanent Building Society provides:

> On a show of hands every member present in person shall have one vote, and on a poll every member present personally or by proxy or attorney shall be entitled to one vote for each share held by him, provided that a member who has borrowed from the society any moneys which are still unpaid shall not be entitled to vote on any of the following questions.

Rule 59 of the Co-op Building Society, under the heading 'Voting', provides:

> Subject to rule 7 hereof a member shall have one vote irrespective of the number of shares held by him in the society whether as a sole holder or as a joint holder provided that such member shall have held not less than 20 shares of any one class for the period of at least three months prior to the meeting in respect of which such member wishes to vote.

Rule 68 of the Hindmarsh Building Society, which is much more democratic provides:

> The principle of voting shall be one member one vote provided the member has a minimum of 100 shares in the society. Each borrowing member, not in arrears, shall be entitled to one vote. Persons under the age of 18 years shall not be entitled to vote.

Is the Minister aware that the Adelaide Permanent Building Society rules directly contravene section 58, subsection 2 of the Act, which provides:

> Except as otherwise provided by this section, every member who is present personally or by proxy shall have one vote.

Is the Minister aware that section 17 of the Act provides for the Registrar to alter the rules when such a breach occurs? Section 17 of the Building Societies Act provides:

> Where in the opinion of the Registrar the rules of a society should be amended—
> *(a)* in the interest of the members of the society;
> *(b)* in the public interest; or
> *(c)* to achieve, in the case of a society that was registered under the repealed Act before the commencement of this Act, conformity with any requirement of this Act,
>
> he may, by instrument in writing served personally or by post upon the society, require it, within a period specified in the instrument, to amend the rules in a manner specified in the instrument or otherwise in a manner approved by the Registrar.

(2) Subject to subsection (4) of this section, if within the period specified in the instrument the society fails to amend the rules as required by the instrument, the Registrar may himself, by notation upon the registered copy of the rules, amend the rules of the society.

Will the Minister conduct an inquiry into whether Mr Booth and/or Mr Hooper raised a $50 000 loan from the Adelaide Permanent Building Society and then with the specific purpose of using that money to buy shares which enabled them to vote at the annual general election of that society, thereby securing office. This would not have been possible under the legally constituted rules of the two other building societies I just mentioned, namely the Hindmarsh and the Co-op.

A Mr Klingberg, a former General Manager of the A.M.P. Housing Society was defeated at this poll. Will the Minister instigate steps immediately to have the Adelaide Permanent Building Society change its rules to conform with the Act and conduct another election? That way, the election would be legal under the terms of the Act. Even though the Act does not exclude land agents from being directors of building societies I would like the Minister's opinion as to whether or not it is desirable.

The Hon. J. C. BURDETT: First, I remind the honourable member that his questions seem to have nothing to do with this Bill.

The Hon. C. J. Sumner: What do you mean?

The Hon. J. C. BURDETT: Well, the Bill relates to the appropriation and expenditure of money. I also point out that the Building Societies Act was passed by the previous Government. Immediately following its passage, the rules of the building societies, including Adelaide Permanent, were approved. All the rules were required to be approved before the societies could be registered. The rules of the Adelaide Permanent Building Society were approved. I also point out that, subject to any particular statutory requirements that may exist, any voluntary organisation can make its own rules. I do not know why the previous Administration approved the rules of the Adelaide Permanent Building Society, but it did. Subject to any necessary restrictions, any voluntary organisation can make its own rules. The matters raised by the honourable member are quite alarming and I will certainly look at them.

The Hon. C. J. SUMNER: Will the Attorney-General, representing the Treasurer, say whether the Government is happy with programme performance budgeting, which was introduced last year and continued this year and, if so, whether it will be continued and, if so, in what form, taking into account the matters raised by the Hon. Mr DeGaris in this respect?

The Hon. K. T. GRIFFIN: The Government believes that programme performance budgeting provides valuable additional information to the Parliament as well as to officers responsible for management within various Government departments. It is a very useful tool for management and for policy decision making, because, when developed, it identifies changes within particular programmes between the years and more clearly identifies where and on which projects the taxpayers' money is being spent. Programme performance budgeting was tried on a trial basis in last year's Budget, and has been extended during the current Budget.

The Government certainly intends to carry on with p.p.b. and to continue with its development, although I am not personally sure regarding the extent to which it will be further developed. Certainly, I understand that it will be continued at least at its present stage, although with refinements.

The Hon. C. J. SUMNER: Is the Attorney-General aware of the criticisms made by the Hon. Mr DeGaris on p.p.b., and will those criticisms be taken into account in considering the future system?

The Hon. K. T. GRIFFIN: I took notice of what the Hon. Mr DeGaris said, and that will be taken into consideration with all the other comments made regarding p.p.b. There does not seem to the Government to be any need for significant changes to p.p.b. development.

The Hon. C. J. SUMNER: Although p.p.b. and the yellow books have certainly provided a considerable improvement on the information that was traditionally provided to Parliament on the lines (for which I commended the Government in my second reading speech), there are still a number of matters that ought to be looked at with the presentation of the State Budget. One difficulty is that of statutory authorities. Except in a very limited way, statutory authorities and their Budgets do not appear in the State Budget.

The situation also gets very difficult when we have the Health Commission, for instance, which appears as one line in the Budget papers. Although the commission is a very complex Government organisation, very little information is provided on it. I appreciate that the Government on this occasion has provided a blue book, which gave members additional information on the commission's budgetary position. That highlights the difficulties that commissions and statutory authorities present in relation to Parliamentary consideration of the Budget.

I understand that it has been suggested by the Opposition in Victoria that the Budget should include reference to statutory authorities and commissions, and in considerably more detail, for instance, in respect of the Health Commission than has occurred hitherto. Has the Government any attitude on that suggestion?

The Hon. K. T. GRIFFIN: Certain statutory bodies present their accounts in the programme performance budgeting style.

The Hon. C. J. Sumner: When do we see them?

The Hon. K. T. GRIFFIN: The Leader has already seen the Health Commission and the State Transport Authority, which are on a trial basis at this stage, and the technique and style are being developed. How far this goes within statutory authorities is yet to be determined.

The Hon. C. J. SUMNER: Does the Government intend at some further time to include the budgets of statutory authorities within the Budget papers that are brought down as part of the State Budget?

The Hon. K. T. GRIFFIN: No decision has been made on that. We have adopted a wait-and-see attitude in relation to that matter as p.p.b. is developed.

The Hon. C. J. SUMNER: Will the Attorney-General provide the Committee with details of the current state of the court lists in South Australia?

The Hon. K. T. GRIFFIN: I did provide that detail to the Budget Estimates Committee. However, I will obtain it again and ensure that the honourable member gets it.

The Hon. C. J. SUMNER: I thank the Attorney-General for that. The only problem is that it was indicated in the Estimates Committee that the length of the list for the Local Court of Limited Jurisdiction was four months. Is that correct, and would the Attorney-General like to check that? Perhaps he could reply by letter. If the period is only four months, will the Attorney-General say what has happened to cause that list to be so drastically reduced recently?

The Hon. K. T. GRIFFIN: I can give part of the answer now. From memory, a concerted attempt was made early in 1981 to clear some parts of that list.

The Hon. C. J. Sumner: Is the period of four months correct?

The Hon. K. T. GRIFFIN: I understand that it is. However, I will obtain that information for the Leader and ensure that it is made available to him.

The Hon. C. J. SUMNER: Does the Attorney-General intend to introduce jurisdictional changes for the Local Court system, which changes were provided for in a Bill that passed in this Parliament in December 1978?

The Hon. K. T. GRIFFIN: No. There will be other jurisdictional changes, which are currently being formulated. I hope that within the next few weeks amending legislation will be introduced to deal with the jurisdiction of the courts.

The Hon. C. J. SUMNER: In this Council on previous occasions I have raised the question of the cost benefit of legal aid services and the argument about salaries versus private assigning. I have previously referred to an article that was written by Miss Armstrong, a former director of the Legal Services Commission, and Mr Verlato, who was the research officer with the commission at the time. That article outlined the benefits, as they saw it, in cost terms of a salaried service for legal aid as opposed to private assigning. When I asked this question of the Attorney-General on previous occasions he did not give me any answer.

The Hon. K. T. Griffin: You won't get an answer to it this time, either.

The Hon. C. J. SUMNER: Certainly, no satisfactory answer. Has the Attorney-General considered the details of the argument in this article? This present Government decided not to establish regional offices at Whyalla and Noarlunga, which had been promised previously by the Labor Government, and has generally not done anything to expand the activities of the Legal Services Commission. Can the Attorney-General give an assessment of what he considers to be the situation and the respective costs and benefits that are obtained from a salaried service as opposed to private assigning?

The Hon. K. T. GRIFFIN: This is a question upon which there is a variety of points of view. The article written by Miss Armstrong was disputed by others who expressed some expertise in the area. I am not sure that one will ever reach a satisfactory solution. Certainly, in some areas the salaried profession, through the Legal Services Commission, can do it more cheaply; for example, where there is a whole series of actions before a court on the one day, it is much cheaper to have one practitioner or several dealing with the matters, rather than have a variety of practitioners all attending the same court to deal with these matters individually. However, there are other cases where it is cheaper to do the work through the private legal profession.

I have never denied and I openly stated that there is a place for salaried legal practitioners within an agency such as the Legal Services Commission. There is also a very important place for the private legal profession. One reason that this Government did not move to expand the Legal Services Commission is that it believes strongly that to establish a broad-based bureaucracy would achieve nothing; it would bring in a large bureaucracy with the inherent difficulties it brings in delivering a service such as legal aid. My recollection is that, if there were to be the eight regional offices established, which were being considered at the time I became Attorney-General—

The Hon. C. J. Sumner: Eight—what?

The Hon. K. T. GRIFFIN: Yes, there were eight regional offices being considered by the Legal Services Commission at the time I became Attorney-General. Application had been made to the Commonwealth for funds. The capital cost of establishing the eight offices was about $1 000 000. There is then the recurrent cost of running those operations. I, and the Government, were quite unconvinced of the merit of that expenditure in the light of previous experience with the private legal profession in the provision of legal aid. That is as far as I can take it. I do not believe that there is any merit in the Government's pursuing the matter and researching further on that particular subject.

The Hon. C. J. SUMNER: With due respect to the Attorney-General, obviously this question involves a salaried service as against private practitioners providing legal aid, and the controversy seems to be about the cost benefit. The Attorney-General does not seem to want to take any initiative that might resolve the controversy. I ask the Attorney-General whether he is prepared to set up an inquiry to examine the differing points of view on this issue so that Parliament can—even if the Government does not want to—make up its own mind about the respective merits of it.

The Hon. K. T. GRIFFIN: The time, effort and cost involved in such an inquiry is not warranted at all. I do not propose to establish any inquiry; it is a matter of debate that will continue to rage, whatever inquiry may be undertaken and whatever results may be produced. The honourable member ought to know that from his period as Attorney-General.

The Hon. C. J. Sumner: It was too short.

The Hon. K. T. GRIFFIN: I do not believe that this matter will ever satisfy all the people. The time, effort and cost of an inquiry is not warranted.

The Hon. C. J. Sumner: Can the Attorney-General tell me what eventually happened at Noarlunga?

The Hon. K. T. GRIFFIN: There was an exploratory discussion initially to establish whether a service could be provided by the private profession in conjunction with local agencies. A number of agencies have been involved. My understanding is that they are almost at the point of agreement where some service, in addition to that provided by the Legal Services Commission, can be provided.

The Hon. C. J. Sumner: I received the same answer 12 months ago when I asked you this question.

The Hon. K. T. GRIFFIN: When dealing with private agencies one has to be patient.

The Hon. C. J. SUMNER: I recall asking this question in the previous debate 12 months ago. Certainly the negotiations were going on 12 months ago, because some members on this side of the Council paid a visit to Noarlunga to find out what was happening in that area. I am surprised to see that negotiations are still going on. I raised the question of how enthusiastic the Government was about some form of legal aid office being established in the Noarlunga district. In view of the time, I will not pursue the issue. If the Attorney-General wishes to respond at some time about the attitude of the Government to the Noarlunga venture, I will be pleased to hear about it.

I have some questions for the Hon. Mr Hill, who is Minister assisting the Premier in Ethnic Affairs. In a report of the Ethnic Affairs Commission, a Mr Giannopoulis is described as the Acting Manager of the services side of the Ethnic Affairs Commission. I understand that the Hon. Mr Hill appointed Mr Giannopoulos as Acting Manager of the Ethnic Affairs Branch. Is it intended to make a permanent appointment to that position?

The Hon. C. M. HILL: The staff structure of the new Ethnic Affairs Commission is evolving and, beneath the newly appointed Chairman, who is the chief executive officer as well as the Chairman, there are two positions. One deals with projects and the other with the general administration of the commission. I understand that the position of the manager dealing with administration (I am not sure of the exact title) was publicised and nominations called. Further, I understand that the selection panel chose Mr Giannopoulos.

The Hon. C. J. Sumner: Has it been confirmed?

The Hon. C. M. HILL: I do not know whether it has been confirmed, but he was the choice of the committee. Confirmation is probably in train at present.

The Hon. C. J. SUMNER: Recent press publicity, especially in the *Advertiser*, concerned a plumber who came to South Australia from Darwin, originally having come from Italy about 20 years ago, and who was unable to obtain recognition of his trade qualifications in South Australia, although he apparently obtained recognition of his qualifications in the Northern Territory. In regard to the recognition of overseas qualifications, the Committee on Overseas Professional Qualifications operated at a Federal level for a considerable time, but it dealt with the professions and not trade qualifications. I would have thought that an inquiry into trade qualifications could be carried out at local level. What is the Government doing in conjunction with the Ethnic Affairs Commission in regard to recognition of trade qualifications in South Australia?

The Hon. C. M. HILL: This question was dealt with at an Australian Ministers Conference on Immigration and Ethnic Affairs in Melbourne two weeks ago. Much discussion took place on the problems facing migrants concerning professional and trade qualifications. Over the years different States have made efforts to overcome the problem. It is a complex and difficult issue to overcome. What has transpired with any finality in South Australia to this stage I do not know, but I think that we all assume that the State has not been successful in reaching finality in this matter. Two weeks ago the Ministers decided at that conference that it ought to be tackled at a national level, and a committee was formed as a start in order to reach some conclusions on this problem. That is the level at which the State is involved at this time. We do not intend to go it alone.

The Hon. C. J. Sumner: What happened in Darwin?

The Hon. C. M. HILL: The matter has come up for discussion from time to time.

The Hon. C. J. Sumner: He got recognition in Darwin.

The Hon. C. M. HILL: That may or may not be so. I am trying in a positive way to inform the honourable member about the current position. This State is joining in that national inquiry. I am pleased to say that our newly appointed Ethnic Affairs Commission Chairman so impressed the conference of Ministers—

The ACTING CHAIRMAN (Hon. R. J. Ritson): Order! The Hon. Mr Foster is bringing his conversation close to the Chair.

The Hon. C. M. HILL: The conference was so impressed by the newly appointed Chairman of the commission in this State that he was one of three officers appointed to this particular inquiry. The inquiry is now in train, and I hope that at last in South Australia some finality will be reached on this vexed question. I can assure the Hon. Mr Sumner, as I assure the Committee, that we will pursue that inquiry and not let it falter as previous inquiries have faltered. I hope that before long we will have some positive proposals to overcome the problem.

The Hon. C. J. SUMNER: I recently received the report of the Residential Tenancies Tribunal for the previous calendar year or financial year, but I could not find any information dealing with the fund set up to hold moneys paid by tenants and landlords. No information was set out concerning the amounts in the fund and their application, in support of tenants or landlords. Can the Minister of Consumer Affairs provide that information?

The Hon. J. C. BURDETT: I will provide the honourable member with information about the investments. There is a portfolio of investments, some short term and some long term. So far, little of the money has been applied. Some has been applied as permitted by the Act for landlords and some for tenants. The amendment that was passed recently enables the money to be applied towards the administration of the Act. The term used in the original Act was 'the administration of the fund'. That has proved to be ambiguous as to what was the administration of the fund and the term is now 'the administration of the Act', but no such money has yet been applied. A relatively small amount has been applied to landlords and to tenants, as is allowed in the existing Act.

The Hon. C. J. Sumner: Why wasn't it in the report on the Residential Tenancies Act?

The Hon. J. C. BURDETT: I did not write the report. The report is written by the Registrar.

The Hon. C. J. Sumner: You are responsible.

The Hon. J. C. BURDETT: That is not the case. I have no power to change a report written by the Registrar, nor should I have such power. I believe the Registrar acted quite properly in dealing with the matters referred to in the Act. I will certainly provide the honourable member with some information in whatever detail is appropriate in regard to the investment of the fund.

The Hon. C. J. SUMNER: I thought that this matter could have been reported on. I was not suggesting that the Minister should go to the Registrar, but perhaps he will make an inquiry as to why these details were not included in the report. It may be that they are not required under the Act. It would seem to be something of public interest, and that information could be made available to the Council. I am pleased that the Minister indicates that he will provide that information.

The next question to the Minister relates to scrutiny or investigation by the department of complaints against professional people. Why did the Minister say in the Estimates Committee that he had no intention of setting up a section within the Consumer Affairs Branch of his department to deal with professional complaints, when he expressed support for such a move prior to the last election?

The Hon. J. C. BURDETT: The Leader well knows that I set up an inquiry and a working party within the department to look at the question of complaints against professionals. I said that I did not agree with the idea of the former Minister, Mr Peter Duncan, when he suggested setting up a general body to oversee all kinds of professional discipline.

The Hon. C. J. Sumner: No?

The Hon. J. C. BURDETT: That is what I said at the time.

The Hon. C. J. Sumner: I've got it here.

The Hon. J. C. BURDETT: I know what I said. I said that I would look at the question of dealing, within the department, with professional negligence. I pointed out that the department had power to do that. It was already in the process—there is no doubt about that. It is quite clear that professional services fall within the ambit of the Prices Act. What may be investigated and the matters to which the department can draw attention are in relation to the provision of goods and services. That clearly includes professional services.

The matter of professional services was settled by the Supreme Court in a matter which related to medical officers fees. There has never been any doubt about that. When complaints were made last year about professional services I said that I would investigate the matter, and I have done that. Complaints were made to me. Some were made through members in this place on behalf of constituents, and some come through organisations such as Pronag (Mrs Di Ciccio). I had discussions with her and also discussions with the Council of Professionals. When I looked at the

figures, I found that the number of inquiries or complaints about professionals has been relatively small.

I can acknowledge, as I have done previously, that part of the reason why it has been small has been that, in the past and during the period of the previous Government, the practice of the department generally in regard to complaints about professional negligence has been to refer people to the disciplinary body of the appropriate organisation, namely, the A.M.A., the Law Society, or whatever. It may be a chicken and an egg situation. It may be that the reason for the number of complaints is that the public has come to know that this is the way things were handled during the time of the previous Government.

We have set up a working party, which has not yet reported. I have not released the report, as I am still evaluating it. It may be released at some time. As part of its work, I asked that working party to undertake a study of complaints received over a two-month period. Many of the so-called complaints are really inquiries about fees and are not actually complaints at all. The practice in the past has been generally to complain to the appropriate authority for disciplinary action. For a two-month period details were taken. On my evaluation, I found that it did not mean that the department ought to get itself any more involved in taking up complaints on behalf of consumers against professional organisations. I have taken the matter seriously. There is no doubt that the department has the power to do something about it.

The Hon. C. J. Sumner: You supported it in the past when in Opposition.

The Hon. J. C. BURDETT: In the past, I indicated that there was not any need for further powers, as the powers were there. As the powers were there, I caused an investigation to be made. I received a report and have not yet completely evaluated it. The question of making that report public is being considered. It does indicate that the number of complaints received by the department against professionals is small and many are inquiries rather than complaints.

The Hon. C. J. Sumner: You're going back on your commitment.

The Hon. J. C. BURDETT: Surely when one has the opportunity to look at something one looks at it and sees the reason for it. I am not going back on any commitment. I have authorised the report and I am now looking at it.

The Hon. C. J. SUMNER: There seems to be some confusion about this matter. In the Estimates Committee in another place my colleague Mr Crafter, the member for Norwood, asked the following question:

> Does the Minister agree that it would be desirable to establish a specialised branch within the Department of Public and Consumer Affairs to deal with complaints against professional people, such branch to have access to persons with professional qualifications?

The reply was:

> I was not satisfied that the results of that indicated that a special branch or section in the department ought to be set up.

Further, the Minister stated:

> I certainly have no present intention of setting up such a section.

Will the Minister concede that he supported the setting up of such a specialised section, that the idea was a good one, but that now he does not intend to set up the centre?

The Hon. J. C. BURDETT: I thought I had made it perfectly clear.

The Hon. C. J. Sumner: You are confused.

The Hon. J. C. BURDETT: I am not confused. The Leader has always been confused. The matter is perfectly clear. When in Opposition I acknowledged, as is the fact, that there is power within the department to handle the matter of professionals. I thought that there might be some merit in doing so, but the sensible thing to do when you get into Government is to conduct an inquiry to see to what extent it is necessary, and that I have done.

The Hon. C. J. SUMNER: What I cannot understand, and it is true that I am confused (and I am sure the whole Committee is confused, as is the Minister), is that the Minister said specifically in the Estimates Committee that he had no intention of setting up such a section. He now tells us he is evaluating a report which was ordered with a view to setting up such a section. The fact is, also, that he agreed before the last election that the setting up of such a section would be a good idea. What I cannot understand is what is the status of this report if the Minister has already decided not to set up a section or some part of a department which would deal with complaints against members of professions.

The Hon. J. C. BURDETT: The Leader is playing with words. I did not say I had decided not to set up a section.

The Hon. C. J. Sumner: You said you had no present intention.

The Hon. J. C. BURDETT: Exactly. I said I have no present intention, because I have not yet evaluated the report; I am still examining it.

The Hon. C. J. Sumner: Then it is still possible that the Government will establish such a section, but the Government has taken no decision on it?

The Hon. J. C. BURDETT: What you say is correct.

The Hon. C. J. SUMNER: My final question relates to a matter I raised in the Council and is directed to the Minister of Consumer Affairs, someone who I am sure is concerned about the things that people in this community consume. In response to a question that I asked about the quality of certain foodstuffs that are sold in this city, particularly meat pies and sausages, the Minister gave the Council some quite disturbing information in relation to meat pies: since 17 October 1978, 298 samples of meat pies have been taken by local boards of health and analysed, and 103 of those samples did not comply with the standard. With regard to sausages, in the past two years 523 samples of sausages have been taken by local boards of health and 154 samples did not comply.

The Hon. K. L. Milne: You know what the trouble was?

The Hon. C. J. SUMNER: No.

The Hon. K. L. Milne: They were trying to make both ends meet.

The Hon. C. J. SUMNER: I will bear that in mind for an after dinner speech. The Minister indicated that only 16 prosecutions had been launched in relation to meat pies. According to the Minister the results of those prosecutions were unknown. I find it a little strange that a department—

The Hon. J. C. Burdett: Not our department.

The Hon. C. J. SUMNER:—the health department—decides to prosecute for a breach of the food standards and the Minister comes back with an answer that it does not know the result of those prosecutions. That is absurd. Either the Minister is totally incompetent, or he is trying to avoid answering questions in the House. I would have thought that the names of the people prosecuted and the results of those prosecutions would comprise information that could be provided to the Council and to the public generally. When I raised this question with the Hon. Mr Banfield some years ago, he said that he was not prepared to disclose who had been prosecuted and what the results were, because the standard had not been properly determined and was not in the regulations. I was advised last week that the standard has now been set and is in the regulations, so I cannot understand why the Minister has not made available the information as to who had been prosecuted.

It is particularly disturbing when one realises that I obtained information when I was Minister about some samples that had been taken. Those figures indicated that the percentage deficiency in meat pies sold by one of Adelaide's most prominent vendors of that staple food in our community was 29.53 per cent. One would have thought that, if that sort of information was repeated in any of the prosecutions that had been taken over the past few years, it is information that surely ought to have been made known to the public of South Australia. Will the Minister obtain the results of the prosecutions that have been taken and the names of persons prosecuted, and make that information available to the Council?

The Hon. J. C. BURDETT: Ever since the honourable member has been in this Council he has had a fixation about meat pies, sausages and similar things; he just keeps on and on and on, whether he is in Government or out of Government. I know that he was Minister of Consumer Affairs for a short period.

The Hon. C. M. Hill: That was a real snag.

The Hon. J. C. BURDETT: True. The tradition has been that these matters are investigated by the Health Commission and not by the Department of Public and Consumer Affairs. The Leader asked a question of me and, because I also represent the Minister of Health, I accepted that question and she provided the answer. The relationship has been that these matters are not investigated by the Department of Public and Consumer Affairs. The statement was made in the answer that the outcome of those prosecutions was not known. That may well have been and probably was so, because those matters had not yet been concluded, so there was not yet any answer. With regard to the final question asked by the Leader, I want to make clear that the responsibility is not that of the Department of Public and Consumer Affairs, and that I am not going to accept that responsibility. However, I will see whether I can obtain from the Minister of Health an answer to the question that the Leader has asked.

The Hon. N. K. FOSTER: As the Minister has been so gracious as to accede to answer the long-standing demand of the Leader of the Opposition, I ask whether he is aware that so-called meat (that browned off wood-like stuff sold to unsuspecting members of the public, particularly to housewives in a hurry to knock up a hasty meal for unsuspecting husbands), prepared hamburger meat that is (which has been frozen and is rather brown), consists of 50 per cent Weetbix and 50 per cent eyelids and offal from animals. Will the Minister investigate the standard of food in those companies which are championing the cause of their particular product with total disregard for the health of the growing young members of our community?

The Hon. J. C. BURDETT: I am quite sure that the question of hamburger meat—

The Hon. N. K. Foster: I defined a particular type of hamburger meat. The other type is made in Melbourne, using murdered people who are put through a mincer. That type of mincemeat is far coarser. I am referring to the flat, wooden things which are squeezed into boxes and frozen.

The Hon. J. C. BURDETT: I am sure that the flat wooden things, meat pies and sausages all come under the jurisdiction of my colleague, the Minister of Health. I will refer the honourable member's question to my colleague and bring down a reply. I am not quite sure just what the honourable member is asking, but I think his question refers to food standards.

The Hon. ANNE LEVY: Yesterday, when speaking to the second reading, I commented about the lack of information provided to members of Parliament in relation to the different organisations listed in appendix 2 of the 'Health' lines. There is also a lack of information about organisations funded by the Community Welfare Grants Advisory Committee. I do not expect that the Minister has that information with him at the moment, but will he see that I am provided with the amount of each grant provided to the organisations listed in appendix 2 of the Estimates, and information about those organisations funded through the Community Welfare Grants Advisory Committee? Will that information be provided within a reasonable amount of time, because I do not want to have to wait for the Community Welfare Report, which could be up to 18 months away?

The Hon. J. C. BURDETT: In relation to the Community Welfare Grants Fund, I make no apology for the fact that a list of the organisations which are funded and the amount of each grant is not appended to the Budget document. I do not think that should be done. The Budget documents are on a far broader basis than that. It has been the practice that that list is appended to the annual report. The annual report has been approved by Cabinet for release as soon as it can be printed, and that could be a matter of only one or two weeks.

The Hon. C. J. Sumner: Is it a statutory obligation to provide the report?

The Hon. J. C. BURDETT: Yes, as soon as reasonably practicable.

The Hon. C. J. Sumner: With Cabinet's approval?

The Hon. J. C. BURDETT: Cabinet has seen it—that is obviously common sense. I believe that it will be available within a week or a fortnight. However, I am in possession of the list and I am quite happy to show it to the honourable member.

The Hon. Anne Levy: Is that last year's list?

The Hon. J. C. BURDETT: Yes. Of course, this year's list has not been approved. About $980 000 was provided for this purpose in last year's Budget, and this year it is about $1 100 000. That money is distributed through a very good system. I am advised by the Community Welfare Grants Advisory Committee, whose members have past experience with voluntary organisations. I almost always accept that committee's advice without question. Members of the committee very often visit these organisations if the request is controversial or if it is a large request. The committee is very well chaired and it runs most efficiently.

About 400 organisations apply for funding each year. There are very few occasions on which I ask the committee to reconsider its decision, and we always reach some agreement in the end. I accept the great majority of the committee's recommendations, which are very well set out. First, an officer makes a recommendation to the committee, and the committee then evaluates the recommendation and sets out its evaluation. I believe it is a very effective system. I am quite prepared to supply the honourable member with last year's list. The report will be tabled within the week, so everyone will have access to it.

There is a lot to be said for triennial funding, but at the moment our Budget is prepared annually, based on the financial year. Therefore, organisations which are likely to be clients of the fund operate on the same basis. I am sorry that last year organisations could not be informed until November or December about whether they had received funding and, if so, at what level. I am informed that this year they will all be advised by mid-November. Most of them have alredy been contacted. Most of the organisations receiving continuing funding have already been informed that it will be at about last year's level. In relation to the health question, I have a list of South Australian Health Commission deficit-funded institutions. I believe it is appendix two.

The Hon. Anne Levy: That is only part of the list. I think there are about 14 or 15 on that particular list, but there are over 80 altogether.

The Hon. J. C. BURDETT: I will obtain that information and pass it on to the honourable member.

The Hon. FRANK BLEVINS: The particular issue that I wish to raise with the Attorney-General relates to the question of secretarial assistance to members of Parliament, particularly members of the Council. This has been a rather long saga. I have prepared quite an extensive file on this matter. All the correspondence in the file I have prepared seems to be one way. It has been extremely difficult to obtain answers from the Government over the past two years. The people who make the decisions and allocate funds have not responded at all. Immediately following the change of Government at the last election, the Liberal Party in this Chamber said that no further secretaries would be appointed to assist members of the Council.

Perhaps the best way to explain my question is to read out the correspondence that has gone on over the past two years. Indeed, it dates from 12 October 1979. I refer, first, to a letter to the Hon. D. O. Tonkin, M.P., Premier, which letter is headed 'Attention Mr Story.' Opposition members were aware very early in the piece (in fact as early as 12 October) that Mr Story makes these decisions and a lot of others on how the Liberal Party conducts its affairs. So, this letter was directed to the top, namely, to Mr Story. It is as follows:

I refer to my letter of 12 October 1979 relating to the appointment of the secretary to the Leader of the Opposition in the Legislative Council. At present the occupant of that position is Mrs Pam Forster but she will be taking up duties as Secretary to the Liberal Party in the Legislative Council.

The position will therefore be that for the Government the President has a secretary, the three Ministers have secretaries, and there remain six members now able to call on two secretaries.

The Hon. K. T. Griffin: What about the Democrat?

The Hon. FRANK BLEVINS: I ask the Attorney to be patient and wait just a moment. This letter refers to Government members. It continues:

In the case of the Opposition there is one secretary to the Leader of the Opposition and one other secretary to be shared amongst nine members. The position of Mr Milne is unclear. In the previous Parliament, excluding secretaries personally attached to members, the Government had one secretary for seven members and the Opposition one secretary to nine members.

In other words, there was an equality of secretaries between Liberal and Labor back-benchers in the Council. It was argued that that was insufficient, but at least the deficiency was shared equally. There was no discrimination in relation to which Party happened to be in power at the time. The letter continues:

My request is for a further secretary to be appointed to assist the Opposition members in the Legislative Council. This would then mean that the Government would have two secretaries to seven or eight members (depending on the position of Mr Milne), and the Opposition two secretaries to nine or 10 members (depending on the position of Mr Milne). This would still constitute the same weighting in favour of the Government which existed previously. I would submit that the House of Assembly have electorate offices with secretaries attached, whereas the permanent offices of the Legislative Councillors are in the Council and that it would be very anomalous if the Government had two secretaries to seven members as opposed to the Opposition's one secretary to nine members.

The appointment could be a Public Service appointment or appointed through the Legislative Council as part of their general budget, but I understand if the latter course is adopted the President would require an additional appropriation. The President of the Council supports this proposition.

Yours sincerely,
C. J. Sumner, M.L.C., Leader of the Opposition in the Legislative Council

Apparently, there was some verbal discussion, which resulted in the Leader's being advised that his request should properly be made through the President of the Council. As we all know, the President does not have access to the funds, unless Mr Story says so.

This matter went on for two whole years. The next letter to which I refer and which is dated 7 December is addressed to the Hon. A. M. Whyte, M.L.C., President of the Legislative Council. So, at that stage we had already had the run-around for two months. The letter states:

Dear Mr Whyte,

I wish formally to make application for the appointment of a further secretary to assist Opposition members in the Legislative Council. I had originally written to the Premier by letter dated 12 October 1979 about this matter but understand that any application must now be forwarded through you.

The position now is that for the Government, the President has a secretary, the three Ministers have secretaries and there remain seven members now able to call on two secretaries, namely, Lois Miles and Pam Forster. In the case of the Opposition, there is one secretary to the Leader of the Opposition and one other secretary, namely, Cynthia Richardson, to be shared amongst nine members. In the previous Parliament, excluding secretaries personally attached to members, the Government had one secretary for seven members and the Opposition one secretary to nine members.

If a further secretary is appointed to assist the Opposition members in the Legislative Council, this would mean that the Government would have two secretaries to seven or eight members (depending on the position of Mr Milne), and the Opposition two secretaries to nine or 10 members (depending on the position of Mr Milne). This would constitute the same weighting in favour of the Government which existed previously.

I would submit that the House of Assembly members have electorate offices with secretaries attached, whereas the permanent offices of the Legislative Councillors are in the Council, and that it would be anomalous if the Government had two secretaries to seven members as opposed to the Opposition's one secretary to nine members. I would appreciate your endorsement of this request.

Yours sincerely,
C. J. Sumner, Leader of the Opposition in the Legislative Council

The President replied very promptly on 12 December 1979. That letter, addressed to the Hon. C. J. Sumner, M.L.C., Leader of the Opposition in the Legislative Council, is as follows:

I refer to your letter of 7 December 1979 seeking my endorsement of your request for a further steno-secretary to be appointed to the staff of the Legislative Council to provide additional secretarial assistance for Opposition members.

Whilst I agree that adequate secretarial assistance should be provided for all members, I consider that for the time being this matter should be held in abeyance until such time as Parliament resumes for the remainder of the session, when a more accurate assessment of the secretarial needs of members will be determined.

Yours sincerely,
A. M. Whyte,
President of the Legislative Council

In other words, it was put off again. On 10 January, after a very brief recess by the Leader of the Opposition, he again approached the President, as follows:

Dear Mr Whyte,

I refer to your letter of 12 December 1979 dealing with my request for extra secretarial assistance for the Opposition. I have consulted my colleagues about your response and have been asked to write to you again with a renewal of the request.

We believe that fairness and equity demand that the Opposition be treated in the same manner as the Government and that we should be placed in a no more disadvantageous position than the Opposition in the previous Parliament. I have set out the discrepancy which exists in my letter of 7 December 1979.

The Opposition believes that there is more than enough work for two secretaries for its back-benchers. At present we do not use our secretary to the fullest in case there should be too much work for her.

Accordingly, I would appreciate it if you could give your further consideration to this request. I would be happy to discuss this with you in company with Opposition members if you wish.

On 14 April, having received no response, the Leader of the Opposition (Hon. C. J. Sumner) wrote to the Hon. A. M. Whyte, President of the Legislative Council, as follows:

I refer to my previous correspondence relating to extra secretarial assistance for the Opposition and in particular to my last letter

dated 10 January 1980. I would appreciate it if you could let me have a reply to that letter at your earliest convenience.

So, we were in the middle of April already.

The Hon. K. T. Griffin: Just give the dates, state to whom the letters are addressed, and ask the question, I will give you an answer on it.

The Hon. FRANK BLEVINS: The Attorney-General should wait just a moment. The Government has been messing us around on this matter for two years now, and a few extra minutes will not do any harm.

The Hon. D. H. Laidlaw: It could do me harm listening to you.

The Hon. FRANK BLEVINS: You had two years of very favourable secretarial assistance.

The Hon. D. H. Laidlaw: Do we have to sit and hear this? We have to get home and change. I may have to give it a miss with you going on like this.

The Hon. FRANK BLEVINS: That is unfortunate. For two years I have been in contact with people over the matter. For two years we have written letters in a proper fashion. For two years we have made unofficial contact, and the Attorney-General has not bothered to reply. He now wants to reply in two minutes. If the Attorney-General had had the courtesy of replying earlier, then this matter would have been settled. He chose not to and it did not matter that it was only for the Opposition. Now, all of a sudden, it matters. It is a matter of urgency for some honourable members, but it is no matter of urgency for me. I am quite happy to sit here until 7.15 in the morning; that is when my plane goes. The next letter from the Hon. A. M. Whyte, President of the Legislative Council, to the Hon. C. J. Sumner is as follows:

Dear Chris,

I have now perused a copy of your letter to me dated 10 January 1980, and apologise for the delay in answering. The original copy I cannot find, hence the delay.

To my knowledge, there has been no suggestion of discrimination against Opposition members by way of secretarial assistance as indicated in paragraph two of your letter. You may recall that I have on many occasions, both in Opposition and Government, requested a more rationalised and adequate service for members. However, until the proposed alterations are made to the Library, I am not clear where you intend to install another secretary and I would like to discuss this with you.

This letter is dated 29 April 1980. It continues:

Your request has been discussed with the Attorney-General, as Government Leader, and I will make the official request on your behalf, with my support, whenever you can indicate a suitable solution to the accommodation situation.

I am always prepared to discuss this matter, or any other matter pertaining to the running of the House, and its amenities, with you, or your Legislative Council members, whenever a convenient time can be arranged. I am still awaiting a reply to my request for the necessary alterations to the Library and will be in touch as soon as I have received word of approval or rejection.

The Hon. K. T. Griffin: You still haven't moved, have you?

The Hon. FRANK BLEVINS: Still haven't moved where?

The Hon. K. T. Griffin: Offices.

The Hon. FRANK BLEVINS: What does that have to do with it? I hope that the Attorney-General will enlarge on that remark when he responds. I will be delighted to hear the answer. The next letter, dated 20 May 1980 from the Hon. A. M. Whyte to the Hon. C. J. Sumner, is as follows:

To keep our files in order I reply to your letter dated 7 May 1980, although we have already discussed the matter.

The position is that the alterations to the Library and what was the old Public Works Standing Committee Room are being proceeded with. This will create another two rooms and under fairly careful analysis it appears that it will be possible to accommodate all of the Liberal Party members on one floor and all of the Opposition members on the other. Madam Black Rod and I have made a survey today and believe that this is feasible without any disadvantage to anyone and would, in my mind, be the most workable provision to make best use of secretarial staff.

I have spoken to the Attorney-General regarding your request for an additional secretary and have lodged an official docket to that effect. If your request is granted it may be necessary to house the second secretary upstairs. This would then leave you sufficient room for all of your members on the bottom floor.

The theory in that letter is that the secretary could go on the first floor and the members of the Opposition would be two floors away. I hope the Attorney-General will bear that in mind when he responds to the debate. The next letter, from the office of the Leader of the Opposition to the Hon. A. M. Whyte, is dated 7 May 1980 and is as follows:

Thank you for your letter of 20 April 1980. I confirm that in our subsequent conservation I indicated that in my view, one of the cubicles on the first floor in the corridor is at present vacant and could be made available for an extra secretary. I also confirm that should this be the case, you will make an official request for such an appointment.

So several months ago an official request had been made. The letter continues:

I also note your comments regarding alterations to the library and other accommodation and that you will be in touch with me as soon as you have received word of approval or rejection of your proposal. Even if approval is granted, we do not believe that it would then follow that all the members of the one Party could be accommodated on one floor. Accordingly, before it is decided to proceed with any work I would like the opportunity of discussing the matter again with you and my colleagues.

I will be away until 20 May.

The next correspondence from the Hon. A. M. Whyte to the Attorney-General is as follows:

I have received a request from the Leader of the Opposition in the Legislative Council (Hon. C. J. Sumner) for the appointment of a further steno-secretary to the staff of the Legislative Council to provide additional secretarial assistance for members of the Opposition.

You will recall that we have discussed this matter previously and I now seek approval for such an appointment to be made.

This is dated 2 May 1980. The file ends there. As far as the Opposition is concerned, there is no response at all. The President agreed that extra secretarial assistance is necessary and equitable and made repeated requests to the Government to provide that secretarial assistance. The Leader of the Government, the Attorney-General, has totally and utterly ignored them.

In the House of Assembly, Question on Notice No. 1173 headed 'Parliament House staff' was included in *Hansard*. The Hon. D. C. Brown replied to the question and included a table which I will not incorporate because it is already in *Hansard*. The questions were, 'How many people are employed in Parliament House in permanent and casual employment and what are their respective positions, responsibilities, hours worked per week and salaries? By whom is each member of the staff employed and to whom are they responsible?' The Hon. D. C. Brown in response provided a list which, to me, is surprisingly short considering the work that goes through. They should have more employees doing it, but that is not the case. What interested me was that on the pay-roll of the Public Buildings Department was the name P. Forster, whose classification, salary and hours basis was given, and the office was listed as Legislative Council. Under 'To whom responsible' it is listed as Mr R. C. DeGaris and three other members. Who made that decision? By what right does the Hon. Mr DeGaris, as a back-bench member of the Government, have a secretary who is responsible to him?

The Hon. K. T. Griffin: He doesn't.

The Hon. FRANK BLEVINS: Just a moment. It goes on to say three other members, but the secretary is responsible to Mr R. C. DeGaris. Obviously, what has happened is that after the change of Government the Premier wanted nothing whatever to do with Mr DeGaris and stripped him of all positions, and promised him the President's job (we

know there is many a slip), and he did not get that either. Apparently, the payoff to keep him quiet was that he should retain his private secretary. In an attempt to disguise what happened the Government allocated three other members to be handled by this person. It is clear that this is what happened. I believe that the work of Mrs Forster for Mr DeGaris and three other members is necessary and that she does the work competently. I have no argument whatever with that person or about the number of members she assists with secretarial duties. That is perfectly proper, and it is a number that I could still argue was insufficient, because four members were possibly too many to deal with. I do not argue with that at all.

Another three members of the Liberal Party and the Hon. Mr Milne have a secretary amongst themselves. Again, I do not argue with that. It is proper and is how it should be. However, the Labor Party in Opposition receives secretarial assistance shared between nine members. The Government cannot say that the matter has not been drawn to its attention, but it could not care less. It could not care less even to respond to the correspondence by the President and the Leader of the Opposition. Not only is it unfair on back-bench members of the Council, and insulting to them, it is also unfair on that secretary, who must attempt to cope with providing assistance to nine members. The Government could not give two hoots about how inconvenient it is for members on this side, but I would have thought it would have some consideration for the employee concerned. It does not care about her either. It does not consider that employee and has not answered that correspondence in two years.

The Hon. G. L. Bruce: We will remember.

The Hon. FRANK BLEVINS: You had better believe it. The behaviour of the Leader of the Government in this Chamber has been absolutely appalling. It is offensive to members that he has not even bothered to give us a reply. For almost two years I have deferred bringing this matter up in this Chamber, because this is not the proper place to raise it. I have had discussions with members opposite who agreed completely as you did, Mr Chairman, that extra secretarial assistance was required for the efficient working of members and on the grounds of equity.

Other than the Attorney-General, who disdains to even answer, every other member with whom I have discussed this matter has said that it is absolutely correct and that they would do what they could to change it. They said I should not bring it up in this Chamber (which I did not want to do) and that it is not appropriate to do so. I agreed that it was totally inappropriate, and I said that, if I could get satisfaction and equity for members on this side without raising the matter in this Chamber, that was the proper way to do it.

I was under considerable pressure from members on this side to raise it in the Chamber, but I said, 'No, I am sure there are some reasonable people on the other side and we should not have to do that.' After two years I have given up completely trying to do anything with this Government on a proper basis. How can one act on a proper basis with an Attorney-General who behaves in the way that this Attorney does on numerous matters? I do not know whether he has an enormous inferiority complex, or what is his problem, but he has a real problem.

The Hon. K. T. Griffin: The problem is you.

The Hon. FRANK BLEVINS: The Attorney says the problem is me. We will see about that in the next 12 months. I can assure him that he will be fully justified in saying that at the end of those 12 months. The Attorney has not had one justification for making that remark in the past two years: he has had total co-operation in the running of the Council and everything else. He has had no political co-operation and should not expect it. However, in every other way every member opposite has had total co-operation from Opposition members, and particularly from me.

The Attorney should not say that the problem is me, because I just might take him up on that and, if that is what he thinks, I may as well give it out. I do have some questions. Why are the Hon. Mr DeGaris and three other members entitled to a secretary who is on the pay-roll of the Public Buildings Department as opposed to the normal secretarial assistance available to members under the Legislative Council pay-roll? Why did not the Attorney, in all his two years and in all the correspondence involved, have the courtesy to reply to members of the Opposition on their request? Does the Attorney-General consider that the position is completely satisfactory in having nine Opposition members being assisted by one steno-secretary while eight Government members, including the Hon. Mr Milne, have assistance from two steno-secretaries? Has the Attorney any intention (he has shown none to date) of dealing with this matter, of replying to the President's letter, so that the President can convey the contents of that letter to the Leader? If he has such an intention after two years, when will that be?

The Hon. K. T. GRIFFIN: I regret that the matter has been drawn out. I will make inquiries as to the present position and let the honourable member have a reply.

The Hon. Frank Blevins: When?

The Hon. K. T. GRIFFIN: You wait for it.

Clause passed.

Remaining clauses (7 to 13), schedules and title passed.

Bill read a third time and passed.

PIPELINES AUTHORITY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 October. Page 1624.)

The Hon. C. W. CREEDON: These amendments appear to have the purpose of opening the way for the Cooper Basin producers to transport their products to a suitable shipping and operations site within the South Australian coastline. That site is Stony Point, and one that seems to be accepted as a logical place to build such a complex. There are a few questions about the environmental aspects of the site that have indeed raised some degree of controversy. A report in the *Advertiser* of 20 August indicated that the Whyalla council approved of the Santos proposal to establish a fractionation plant at Stony Point under the $750 000 000 Cooper Basin liquids scheme.

The report further stated that after a lengthy debate the council voted four to three in favour of the plan. I think this is rather surprising when it is indicated that the project will buy some employment to the area. I believe that the narrow support for the plant being placed in its council area would indicate a concern that we just cannot dismiss out of hand. Other concerns that readily come to mind are the existing shacks in the proposed area and of course the beach, which I am led to believe is the only decent swimming beach in the area.

I do not know whether the public is going to be allowed to use the beach but in any case there is always the chance of oil spills that could damage that beach and worse could cause damage to the whole region of the upper gulf. We all know that the refinery to the south of Adelaide has its occasional oil spills which have caused concern to those on southern beaches, so I would hope this company will make every effort to preserve the coastline in the gulf to ensure that what beaches there are will always remain free of oil contamination.

It is a greaty pity that an investment of the size generally accepted as necessary to provide this project can only employ so few people. It is the liquids pipeline, or the need for it, that causes us to be debating this issue, and it seems the Government is not satisfied that the Pipelines Authority should be the body that should own such a valuable asset.

It was originally known as the Natural Gas Pipelines Authority when the Bill was first introduced to our Parliament by the then Premier and Treasurer, the Hon. Frank Walsh. As we know, the construction of this pipeline was necessary because of our need to bring natural gas found in the Moomba field to where it could be used by the major centre of the South Australian population. This pipeline was constructed by the Government and is owned by the South Australian Government. It has been a major success and one of the factors in ensuring that South Australia did not fall behind other States in relation to a reasonably low-cost fuel supply both for industry and for the generation of power and use by domestic consumers at prices that could be afforded.

The second reading explanation indicates that the Government intends to force the authority to provide the easement for this privately owned pipeline. It could well be that the authority owns sufficient land for this purpose, but perhaps not. Maybe it has to acquire a large areas but, whichever way the deal is done, the authority (or should I the State) is being put to considerable expense.

South Australia would reap much greater benefits if the new pipeline belonged to it. The rental for its use and the royalties for the gas, oil, etc., removed from the State and sold at great profit by private companies would at least be some compensation to the ordinary people who really own this State. The Government may bring up such matters that those who receive employment because of such enterprises are also beneficiaries and, of course, so they are, but the greatest beneficiaries are those who trade in shares.

We have noted from time to time the huge profits made by trading over shares by greedy entrepreneurs. It is a great pity that the whole enterprise is not owned by the State. In that way the total profits would benefit every part of the South Australian community. It is hardly likely that the present Government would be able to claim that, because of its great shortage of money. It has to curtail most essential services. Certainly one could not expect the profits from one such enterprise to completely fill the gaps that can be found in the service offered to South Australians, but it would have given them some satisfaction to be assured that our own wealth was being shared within the community.

One wonders how seriously the Government pursued the matter of raising funds for the Pipelines Authority to build the pipeline needed to convey the Moomba product to Stony Point. The Minister of Mines and Energy did say in debate in the Assembly, after being criticised for not making more worthwhile attempts to get the money to construct the pipeline, the following:

> The Government could have contemplated some other schemes: maybe it could have gone into what is known as leverage leasing, which I understand is a scheme used particularly when there is a fairly short pay-back period. If that had been perceived as a way of getting around Loan Council. I am quite sure that in a fairly short period the Federal Government would have realised as much, and the clamps would have been on us. The companies concerned were quite happy for the Government to build the pipeline, finance being available through the path at favourable interest rates, whereas it is not available at the same interest rates elsewhere on the world market. Their repayments could well have been less than they would be if they were faced with building the pipeline themselves. However, there was no other alternative. For a short period the Government contemplated other means of financing the pipeline to beat the system, but in the end, and having to make a decision fairly quickly to expedite the scheme, the Government agreed with the producers that they should finance the pipeline.

The Minister has made all sorts of excuses why he could not find the money but mostly he seems to want to lay the blame on his Federal colleagues. I can understand his desire to dissociate himself from them. It seems most Australians feel the same way and perhaps when the next election comes round he would like to join us and advocate their removal.

Other States during the last few months have received consideration from Federal sources for special development projects. Why not this State? It was a much needed development and it should be helpful to our sagging State economy. I just do not believe that the Government tried hard enough. It was being too soft on its Federal colleagues. In any case, if the Government found that job too difficult, the Minister did mention that there were other possible sources that were not fully explored. So, in my opinion, no justification exists to claim that money was not available for the Pipelines Authority to construct and own the liquids pipeline. A valuable asset has been lost to the South Australian people because of the neglect of the Government, which should be soundly condemned for its ineptitude in the matter. There has been some controversy over the contract to construct this particular project. This has been aired on television, radio and the newspapers and it would seem there may have been some wheeling and dealing going on.

The *Advertiser* informed us some weeks ago that a South Australian company had won this contract. I am sure that all South Australians were pleased that an Australian-owned company was being recognised. The next thing that I became aware of was that one of the television stations was running a serial on the claims made by Red Roo, which is a Queensland company, and the answers given by the Moomba consortium, through Santos Chairman, Mr Carmichael. An article in the *Advertiser* of 26 October headed 'South Australian group wins job on Cooper pipeline', states:

> South Australia's largest civil engineering group MacMahon Construction Pty Ltd, will play a major role in building the Cooper Basin liquids pipeline. The $130 000 000 pipeline will bring Cooper Basin liquids to Stony Point, near Whyalla.
>
> Construction of the 650 kilometre pipeline from Moomba will involve more than 400 workers, and most of these will be South Australians now that MacMahon is involved.
>
> Sydney-based Saipem Australia Pty Ltd has actually won the liquids pipeline contract but MacMahon will be the major subcontractor.

Claims and counterclaims, charges and countercharges were levelled backwards and forwards, with Red Roo feeling that it had been cheated, despite the fact that it had approached everyone that might be approachable prior to a decision being made on who would be the successful tenderer.

The major thing to emerge from that debate was that the Italian Government-owned firm Saipem Australia Pty Ltd had actually won the contract and not the Australian firm as was indicated by the *Advertiser* report. As I said, anyone briefly perusing that article would have had no idea, because they would not have gone to the trouble of reading that extensive report. Therefore, they would not have known that an Italian firm had won the contract. Certainly, we can say that an Australian firm will be subcontractor, but the prestige and a large slice of the profits will go to a foreign country through the agency of its representative company in Australia. I, like my fellow South Australians, am very happy to see that our resources are going to be made available to the people of Australia and to people in the other parts of the world.

For South Australia's sake I am pleased to know that about 400 jobs will be available, if only for a short time. In the long term, there will be employment at Stony Point for about 60 persons on a full-time basis. I am extremely

disappointed that the construction contract has gone to a foreign contractor. I am sure that most South Australians will be disturbed that the Government did not make a greater effort to ensure that this pipeline was owned entirely by the people of Australia. My colleagues and I are happy to see this project go ahead, because we believe it will benefit all South Australians. The Opposition supports the Bill.

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

ADJOURNMENT

At 6.16 p.m. the Council adjourned until Tuesday 10 November at 2.15 p.m.