LEGISLATIVE COUNCIL

Wednesday 24 August 1983

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

PAPER TABLED

The following paper was laid on the table:

By the Minister of Health (Hon. J.R. Cornwall):

Pursuant to Statute—

Department of Lands—Report, 1982-83.

QUESTIONS

EXCISE

The Hon. M.B. CAMERON: I seek leave to make a statement before asking the Minister of Agriculture a question about excise.

Leave granted.

The Hon. M.B. CAMERON: The Premier has described the Federal Budget as fair and favourable and one which contains nothing to disadvantage South Australia in a major way. He has also expressed satisfaction that there is no sales tax on wine, ignoring the fact that the Federal Government's decision to reintroduce the excise on grape spirit amounts to another broken promise. In Labor's rural policy speech delivered on 20 February this year, Mr Hawke said:

> Labor is pledged not to impose a sales tax or an excise tax on wine.

While, therefore, the former State Liberal Government was able to successfully resist, for three years, the imposition of any tax or excise on the wine industry, the Premier has been unable to convince his Federal colleagues to maintain this position.

I have been informed that the impact of the excise on fortified wine will, in fact, be very severe for a number of South Australian wineries. For example, one winery which uses about 1 000 000 litres of grape spirit for fortifying wine each year will face an immediate increase in its annual cost of production of $2 610 000. This will compound by this amount in future years and will increase automatically because of the Government's decision to index all excises. Another South Australian winery will require additional working capital of $1 500 000 in the first year and $3 000 000 per annum thereafter.

The arrangements the Federal Government has announced for this excise require that payment be made within seven days of the withdrawal of the spirit from bond for use in the production process. This means that the tax will place severe liquidity pressures on producers. They will have to pay the excise immediately, but will not be able to recoup the cost through sales of the product on which it is levied for anything up to 15 years because of the long maturation process involved. The excise will also result in a drop in sales because it will cause the retail price of an average quality 750 ml bottle to increase by up to 75c, and a flagon by $2. I have been informed that, as a result of liquidity pressures and a drop in sales, labour shedding in the wine industry in South Australia will occur. I therefore ask the Minister whether he is prepared to approach Canberra to have arrangements for payment of this excise changed.

The Hon. FRANK BLEVINS: The short answer is, 'Yes'. However, I am sure the honourable member would be disappointed if I left it at that and sat down. I was both pleased and upset at the decision taken in the Budget by the Federal Government in relation to wine. I was obviously as pleased as every other honourable member in the Council (apart from the Democrats, I assume) that there was no imposition of a wine tax generally in the Budget. I noted with some astonishment this morning a statement that was attributed to the Federal Leader of the Democrats, who was commenting on the Budget: he was bitterly disappointed that there was no wine tax.

The Hon. M.B. Cameron: Who was this?

The Hon. FRANK BLEVINS: Senator Chipp, the Federal Leader of the Democrats. I was quite surprised, particularly after—

The Hon. M.B. Cameron: He has no regard for South Australia.

The Hon. FRANK BLEVINS: Quite clearly, nor apparently does he have any regard for some of the poor people in rural industry—grape growers. The statement was astonishing, particularly since Mr Milne visited the Riverland a few months ago allegedly to look at the Riverland cannery and the problems in the canning fruit industry. The Hon. Mr Milne made some quite fatuous remarks about the problems in the cannery, and left. Apparently, he did not have discussions with anyone connected with the wine industry, or perhaps he did have discussions but he did not inform his Federal Leader of the problems.

However, that is not the point of the question. I, like most people in this country, am pleased that generally an excise will not apply to table wines. I was disappointed that the Federal Government found it necessary to impose the excise as outlined by the Hon. Mr Cameron. While the drinks to which the excise applies are what some people would regard as drinks of the wealthy (for example port and sherry) I do not quite see it that way. Such drinks are very good value and they also support a very significant section of South Australia's rural industry.

I do not know how much money the Federal Government expects to raise from this excise, but I know that calculations that were done in relation to the brandy excise some years ago turned out to be quite erroneous, and that situation virtually killed the industry. I would hope that the same thing does not happen to the fortified wine industry.

The Hon. M.B. Cameron: One winery has already stated that it will not continue as of today.

The Hon. FRANK BLEVINS: I will contact the Federal Minister urgently, probably by telex, and I will point out how disappointed I am and the very serious effect that this excise will have, particularly on a region that is already experiencing very severe problems. This excise has not helped at all and, in fact, as the Hon. Mr Cameron said, threats have already been made about substantial retrenchments in the industry.

The Hon. M.B. Cameron: How about the Government, the Opposition, and the wine industry going to Canberra?

The Hon. FRANK BLEVINS: The honourable member has suggested that a joint approach be made: I will consider that.

The Hon. Anne Levy: The Democrats would not go.

The Hon. FRANK BLEVINS: That is right. I will get full details of precisely what effect this impost will have on the industry. Quite obviously, the impact will be substantial, and I am very disappointed in that regard. I recognise the financial pressures on the Federal Government and I realise that it must decide whether or not to damage in this way an industry that is not particularly prosperous. While I appreciate the financial problems, I believe that perhaps an income tax surcharge on wealthy sections of the community, such as members of Parliament, would be more appropriate. However, the Federal Government has made its decision, and I will take issue with it. I will consider the rest of the matters raised by the Leader.

WHYALLA HOSPITAL

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Health a question about the purchase by the Whyalla Hospital of premises at Broadbent Terrace, Whyalla.

Leave granted.

The Hon. J.C. BURDETT: On 1 June I asked a question about the purchase by the Whyalla Hospital of premises that had been the home of a former Chairman of the hospital board, Mr Terry Reilly. My questions were directed to the price in relation to the Valuer-General's valuation and other details, and the purchase was approved and agreed to by the Health Commission. The Minister was good enough to provide me with details of these matters and, included in the details with which he provided me, was the fact that the contractual agreement was signed in April. I have been causing searches to be made from time to time as to whether the transfer had been lodged for registration. My intent was to check what consideration was shown to be in the transfer.

As of noon yesterday my searches had shown that the transfer has not yet been lodged. That is a lapse of four months in round terms (because I am not sure on what date in April the contract was signed), which, particularly in the case of a transaction of this kind—the sale of a home for a hospital—seems an amazingly long time. Of course, the Minister could not be expected to know the answer to this question off the top of his head. Will he ascertain for me the answers to the following questions:

1. Is the transfer still proceeding?
2. If not, why not?
3. If it is still proceeding: *(a)* when is the transfer likely to be registered; *(b)* what is the reason for the delay?

The Hon. J.R. CORNWALL: Yes, Mr President.

NATIONAL CRIMES COMMISSION

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about the National Crimes Commission.

Leave granted.

The Hon. K.T. GRIFFIN: On Thursday 28 July and Friday 29 July a conference was held in Canberra to discuss the concept of a National Crimes Commission in the light of the previous Federal Liberal Government's enactment of the National Crimes Commission Act. That Federal Act was not proclaimed to come into effect, and had been enacted on the basis that the Commonwealth would go it alone, but the States could join in then or later if they so wished. At the conference in July varying points of view were presented on the need for a Crimes Commission and, if it were established, what should be its form and powers.

The States, both Labor and Liberal, all appeared to favour a co-operative Federal-States initiative to combat organised crime, although previously the Federal Labor Government had said that it was committed to having the National Crimes Commission in place by January 1984. That announcement, as I understand it, was apparently consequent on the winding up of the Costigan Commission at the end of this year.

During the conference which I attended—and so did the Attorney-General—I could see that the Federal Attorney-General was a bit testy about the consultation proposals and the apparent obstacles to the Federal Government's proposal to establish a Crimes Commission in the way it intended. In the light of that perception a number of questions arise. (If the Attorney-General does not agree with the perception, the questions still arise.) They are:

1. What progress has been made in negotiating a joint Federal-States scheme to combat organised crime?
2. Does the South Australian Attorney-General still support the establishment of a Crimes Commission on a co-operative basis?
3. Is it likely that there will be agreement between the States and the Commonwealth on the form of any Crimes Commission and its powers?
4. When is agreement likely to be reached; if it is not reached, is it likely that the Federal Government will proceed unilaterally?
5. What are the essential ingredients of any co-operative proposal that the Attorney-General would presently support?

The Hon. C.J. SUMNER: The honourable member was in attendance at the conference held on the Crimes Commission—an important initiative of the Federal Attorney-General and the Federal Government. Rather than gaining the impression that the Federal Attorney-General was somewhat testy about the consultative process, I, in fact, found him uncharacteristically well-behaved. In fact, he chaired the meeting—

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: Not at all. He chaired the meeting with the Hon. Kim Beazley—the Federal Minister of State and therefore the Minister responsible for the police. Jointly they chaired the meeting very well. The consultative process, which the Federal Government set in place, contrasts starkly with the attitude of the previous Federal Government to the Crimes Commission. In the middle of the period when the Hon. Mr Griffin, other State Attorneys-General and Ministers were negotiating with the Federal Government on the establishment of a scheme that would have the acceptance of the States, the Commonwealth, in the form of Senator Durack, announced that it was going it alone and that the States could like it or lump it. That is simply what Senator Durack said. The new Government in March decided that there ought to be a new round of consultations, and the conference which the honourable member and I attended in Canberra was part of that process.

As a result of that process, which I believe was extremely useful, the Federal Attorney-General, Senator Evans, at the conclusion of the conference sought to sum up what he felt was the consensus of opinion at which we had arrived. That summing up, and other final statements, have been referred to working parties of officers, including officers from the Attorney-General's Department and the Police Department. The officers, I understand, are still proceeding to develop firm proposals following the Federal Attorney-General's statement at that conference. That is the answer to the first question in terms of progress. As soon as I have any further information in terms of a more formal concrete proposal, I will be quite happy to advise the Council. I still personally support the notion of a Crimes Commission on a co-operative basis because the Crimes Commission, without the full co-operation and participation of the States (which are primarily responsible for law enforcement), would have serious defects. I cannot say whether agreement is likely on the form of the Crimes Commission. Officers are having discussions following the Federal Attorney-General's summary of what he saw as the threads arising out of the Crimes Commission conference.

The honourable member is aware of the broad outline I gave at that conference of a Crimes Commission which the South Australian Government would be prepared to support. We would support a Crimes Commission in principle. It would have two roles: first, a collection of criminal intelligence role at the national level and, secondly, an investigative role which it may not always carry out within its own resources but which it may also undertake through *ad hoc* inquiries. That commission ought to be the subject of Min-

isterial direction by some form of State-Federal co-operative process. They are the broad ingredients that I would accept in a Crimes Commission. Negotiations and consultations are continuing.

What arises out of those negotiations we will have to wait and see, given the fact that it is important to obtain the agreement of the Commonwealth Government and State Governments. It is not always possible to get one's own way fully in these areas, so there may need to be compromises and adjustments to the broad outline I have given to the Council. There is a meeting of the Standing Committee of Attorneys-General in Melbourne two weeks from today and I should be in a position to provide further information to the honourable member and this Council following that meeting. From a personal point of view, I point out to the Council that I took the opportunity to visit the Costigan Royal Commission in Melbourne to view the work it had done in this area in order to better inform myself of the dimensions of the problem that Australia is facing.

DROUGHT RELIEF

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Minister of Agriculture a question about drought relief.

Leave granted.

The Hon. I. GILFILLAN: Members opposite have said that the Democrats may have some differences between the Federal representative and Leader and our State representatives. I feel sure that they will sympathise, being in the same situation regarding funds for the Northern Territory railway line, where the State Government does not see eye to eye with its Federal colleagues. So, this is not a phenomenon peculiar to the Democrats. The Australian Democrats have been pushing for some time to have a more rational approach to drought relief. It must be realised that drought is a natural phenomenon in this country and, as such, the Government's policies and contingency plans should be designed to assist rural producers and water supply authorities to cope with the problems generated by drought. *Ad hoc* measures hurriedly implemented in times of crisis are no answer to this problem. Rather, a comprehensive long-term drought relief policy is needed, as an *ad hoc* approach discourages prudent management.

The Australian Democrats have previously suggested the introduction of a national drought insurance scheme and the use of incentives to encourage appropriate drought preparation measures. A drought insurance scheme would involve the Government, insurance companies and the farmers in a joint venture. The basic principle of the scheme is saving in the good years to cover the bad ones. This has advantages for individual farmers because they will know that they will automatically receive benefits as soon as a drought is declared.

I understand that in South Australia we have a unique situation as far as the Commonwealth is concerned because drought is no longer declared in South Australia. Drought declaration is considered as very arbitrary; it is purely subjective and often done for political reasons. In addition, simply drawing lines on a map invariably means someone is put on the wrong side of the line. Since the mid-seventies this State has had a more enlightened approach in that farmers applying for drought aid, regardless of where they are situated, have only to prove that they are drought affected. This has been relatively easy: the farmer presents two annual cash flow budgets, one under normal conditions, and one under the current drought. As I understand there were pressures from the Federal Government during the recent drought situation and, because of our State policy, we may be described as being out of step with the rest of the country. I understand that the Department of Agriculture—

The PRESIDENT: Order! I must ask whether everything the honourable member is saying is relevant to the explanation of his question.

The Hon. I. GILFILLAN: I am asking my question now. I understand that the Department of Agriculture, which administers drought aid, was forced by the Commonwealth Government into virtually declaring drought areas for the purpose of obtaining Commonwealth drought assistance. Will the Minister of Agriculture say whether that is so? Also, what steps is the Government taking to review the measures taken to assist farmers and rural businesses during the recent drought? In particular, has the Government any intention of changing the method of declaring drought in this State?

The Hon. FRANK BLEVINS: I certainly agree with the basic premise contained in the Hon. Mr Gilfillan's question. Perhaps the present method of providing drought relief is not particularly appropriate on all occasions. There is no doubt that some of the measures that were taken during the drought prior to the Federal election contained a few holes. At that time the Hon. Mr Chatterton described the situation to the Council very well. I agree that the methods used to assist farmers during periods of drought must be well thought out before a drought actually occurs so that people know exactly where they are rather than simply hoping that, because it might be getting close to an election, they can force a little more out of the Government of the day.

I am not blaming the previous Government. I have a suspicion that, given a similar situation, Governments of either persuasion would be tempted to do something similar. Again, to deal with drought on a rational basis one must accept the premise that droughts are going to occur. A drought cannot be regarded as a natural disaster in the same context as bushfires and floods. A drought is something that can be guaranteed to occur in Australia. By and large, I have found that farmers live with the prospect of drought pretty well, although some do not.

The Hon. Mr Gilfillan alleged that the Federal Government is forcing State Governments to change the method of declaring droughts by declaring only particular areas. I have no knowledge of an attempt to do that. However, I will investigate the matter and have a detailed response prepared for the honourable member. In relation to the long-term measures to be taken when dealing with droughts, the Agricultural Council put to a meeting of Ministers of Agriculture in Port Moresby earlier this month a submission similar to the Hon. Mr Gilfillan's. The Ministers agreed again to that basic premise advanced by the Hon. Mr Gilfillan, who is in the main stream with his suggestion that action must be taken on a less *ad hoc* basis. That matter is being investigated. Knowing the Ministers' concern, I am absolutely confident that a scheme will be evolved before long. Hopefully, such a scheme will solve the problem in a more rational way. I will provide more details for the Hon. Mr Gilfillan. I am sure that all honourable members agree with the basis of the Hon. Mr. Gilfillan's remarks. In relation to drought insurance, that is something that I will have investigated. That suggestion is quite new to me; I have not heard that proposal before. I will have the matter investigated and bring down a reply for the Hon. Mr Gilfillan.

PARLIAMENTARY LIBRARY

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Local Government, a question about the

legislative requirement that copies of published material be deposited in the State Parliamentary Library.

Leave granted.

The Hon. ANNE LEVY: During the previous session, on 2 June, I asked the Minister a question and pointed out that I understood that many items were published in South Australia, copies of which were not being lodged with the Parliamentary Library. As the Libraries Act comes under the administration of the Minister of Local Government, I asked whether any steps could be taken to make people more aware of their obligations in relation to this matter so that the relevant material can be made more readily available in the Parliamentary Library (where it is supposed to be lodged for the use of members). Does the Minister have a response to my question?

The Hon. J.R. CORNWALL: The Minister of Local Government has reported to me on this matter. Our colleague the Minster of Local Government (Hon. Terry Hemmings) points out that informing publishers of the legal deposit requirements of the Libraries Act is a difficult task. It is particularly difficult to notify those publishers who do not always issue material for commercial reasons. This group includes Government departments, companies, organisations, and private individuals. In recent months, the Department of Local Government has attempted to promote awareness of legal deposit among these publishers in the following ways:

1. In 1982, the State Library of South Australia co-operated with the National Library of Australia and other major Australian deposit libraries, in the production of a brochure on legal deposit. This brochure was distributed by Australia Post to groups registering publications for transmission as periodicals. Approximately 1 250 publishers in South Australia were reminded of the requirement to deposit printed materials with both the State Library and the Parliamentary Library and, as a result of this drive, many publications were brought to the attention of deposit libraries for the first time.
2. Circular No. 66 of the Department of the Premier and Cabinet advises departmental heads of the obligation to deposit Government publications with the State Library of South Australia and the National Library of Australia, the latter according to the Copyright Act, 1968, section 201. At the time that this was last reissued, in August 1982, the Parliamentary Librarian was concerned that inclusion of the Parliamentary Library in the circular might deluge the library with too many unwanted publications. However, the new Libraries Act has necessitated the updating of the circular which is also being amended to provide for deposit of Government publications with the Parliamentary Library as well as the State and National Libraries. It is expected that the circular will be reissued by the end of August 1983.
3. In 1982 and early 1983 the State Library also made contact with the major political Parties in South Australia and again reminded these groups of their legal deposit obligations. Assistance with the collection of election material was also sought from the public during the last State and Federal elections and this publicity campaign produced a good response.

As a result of the honourable member's question, the Minister of Local Government has advised me that informal discussions have been held between officers of the South Australian Collection, the State Library's legal deposit collection and the Corporate Affairs Commission, to explore ways in which the commission might assist the State Library and the Parliamentary Library in the collection of annual reports of companies. It seems that a huge volume of material is involved, some 40 000 companies ranging from large organisations to small one-man (I think that should read 'one-person') concerns being required to lodge an annual report or return with the Corporate Affairs Commission under the Companies Code. However, it has been arranged for the discussions between the South Australian Collection and the Corporate Affairs Commission to continue and to also include the Parliamentary Librarian in the hope that ways can be found of assisting the State Library and the Parliamentary Library to collect company reports more effectively.

WINE INDUSTRY

The Hon. DIANA LAIDLAW: I seek leave to make a statement before asking the Minister of Agriculture a question about the wine industry and recent increases in water rates.

Leave granted.

The Hon. DIANA LAIDLAW: In reply to a supplementary question I asked last Wednesday, the Minister of Agriculture stated:

> The Minister of Agriculture is very interested in the wine industry. It is a very significant section of South Australia's economy indeed. Anything that damages that section of the economy would cause me, as Minister of Agriculture, great concern.

Prior to making that statement the Minister advised the Council that no part of an earlier question that I asked, which referred in part to the effect of a 28 per cent increase in water rates to owners of vineyards, was in any way related to his area of responsibility. He added:

> I have no idea at all about the imposts of water used by people living in the Riverland. That is a matter for the Minister of Water Resources.

In the light of the Minister's remarks, I doubt if he was aware of a statement that appeared the previous day in the *News* (page 3) by Mr Preece on behalf of the Wine Grapegrowers Council of South Australia, as follows:

> . . . that the cost of living handouts to winegrowers will soar because irrigators cannot sustain the 28 per cent increase in water charges imposed by the Bannon Government.

Mr Preece added:

> The Government should be trying to encourage the industry back on its feet—not pushing it further down the drain.

If the Minister was not aware of Mr Preece's strong reaction to the increased water charges when answering my question last week, has his attention since been drawn to Mr Preece's comments? Does the Minister accept Mr Preece's judgment that the high water rates will have a most damaging effect on the industry? If that is so, does he accept that this matter should be of concern to him as Minister (at least as much of a concern as he has just related in respect of the increase in excise for fortified wines that was announced last night) and that the matter is not solely the responsibility of the Minister of Water Resources? Accordingly, is the Minister prepared on behalf of the industry to endeavour to persuade the Minister of Water Resources and the Government to reverse the decision to impose crippling increases in water rates as these increases will affect the future viability of large sections of the wine industry?

The Hon. FRANK BLEVINS: I am pleased that the Hon. Miss Laidlaw has given as much thought to this question as she gave to the original question.

The Hon. C.M. Hill: Answer the question, that's what you've got to do; don't comment on the previous speaker.

The PRESIDENT: Order!

The Hon. FRANK BLEVINS: I was complimenting the honourable member on the way in which she phrased the question. There is nothing wrong with that at all. I hope that I can remember the honourable member's questions,

because she asked six or seven questions and, after the fifth question, I lost the ability to keep up with the torrent of words coming from the honourable member. However, I will do my best. The honourable member asked whether my attention has now been drawn to the article documenting the comments of Mr Priest. The answer is 'Yes'; the honourable member gave me that article, and I thank her. As to whether I accept his comments, if I were a grape-grower, and if there was an increase in water rates, I would not be too happy about it. As a general householder, I am not too happy when my water rates or any other charges are increased. However, I do appreciate the necessity for that action. I would imagine that wine grapegrowers are in the same position as all of us: we must recognise that we are going through a period of inflation. We have had seven years of a Federal Liberal Government and three years of a State Liberal Government, during which time costs have increased, and the cost of water to wine grapegrowers in the Riverland is an indication of that.

As sure as night follows day, if inflation continues, costs will increase. I am not quite sure what the Hon. Miss Laidlaw is suggesting we do about it. Is the honourable member, for example, suggesting that, as the cost of water to the community increases, it should be subsidised and the cost not passed on to the industry? If that is what the honourable member suggests, it really is a most irresponsible way of doing things.

The Hon. Diana Laidlaw: I was not suggesting that.

The Hon. FRANK BLEVINS: Well then, the honourable member agrees with me.

The Hon. Diana Laidlaw: I was asking you to take an interest in this, because the industry is very important.

The Hon. FRANK BLEVINS: I am taking a deep interest in it. At best, that is a general response to the six or seven questions asked by the Hon. Miss Laidlaw. I suggest that there is a very big difference between what the State Government, whether Liberal or Labor, did, and what it continues to do, in passing on cost increases and supplying water to the Riverland or anywhere else and in a Government's trying to recover costs and applying excise as a revenue raiser. If this Government was trying to raise revenue from grapegrowers, for example, by overcharging for water or by charging a levy on water, I would agree to some extent with some of the arguments that the Hon. Miss Laidlaw is trying to put when she refers to parts of the answer that I gave earlier to the Hon. Mr Cameron.

I would expect everyone in the Council to see the difference. One is a cost recovery exercise, and the other is a revenue raiser. While I have sympathy for wine grapegrowers and for anyone else who uses water in this State, I believe that, as everyone should appreciate, it is purely a cost recovery exercise and the Government certainly does not make any money in supplying water to anyone.

ROYAL ADELAIDE HOSPITAL

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Health a question about the Royal Adelaide Hospital.

Leave granted.

The Hon. R.I. LUCAS: I have been informed that stories are currently circulating that the Royal Adelaide Hospital is about to cut its bed numbers. These stories follow on from stories of cuts in relation to visiting staff sessions, which was referred to by the Hon. Dr Ritson earlier this week. My questions are as follows:

1. Will the Minister investigate these stories and ascertain whether or not they are true and report back to Parliament?
2. If there are to be cuts, what will be the extent of such cuts and how much money will be saved?
3. Does the Minister expect any cuts in bed numbers at the Royal Adelaide Hospital to affect waiting times for elective surgery?
4. Does the Minister have the power to reverse such a decision, if it has already been taken (and I refer generally to decisions and particularly to this decision) and, if the Minister has that power, does he intend to use it?

The Hon. J.R. CORNWALL: Members opposite never fail to amaze me. They leap up and bounce all over the place and talk about the much vaunted autonomy of hospital boards of management. Yet, when they hear some sort of rumour on the grapevine that the Royal Adelaide Hospital board of management might be about to take some sort of decision, they rush in here and say, 'Will the Minister take immediate action to reverse it?'

The Hon. R.I. Lucas: That is not the question.

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: Members opposite cannot have it both ways.

The Hon. R.I. Lucas: Do you have the power and are you going to use it?

The Hon. J.R. CORNWALL: Control yourself, my son, I am answering the question.

The Hon. C.M. Hill interjecting:

The PRESIDENT: Order! The Hon. Mr Hill must not interject.

The Hon. J.R. CORNWALL: I will go through it again, Mr President: you have been forced to sit through Question Time for nine months since this lot has been in Opposition. Members opposite have tried to make great play of the so-called autonomy of hospital boards. As I said, immediately there is even a vague rumour that the board of the biggest teaching hospital in the State, with a $100 000 000 budget, might be about to take some sort of decision, members opposite run straight into Parliament and ask me as Minister of Health to intervene and overturn the decision.

The Hon. R.I. Lucas: I asked you to investigate it.

The PRESIDENT: Order! The Hon. Mr Lucas may ask a supplementary question if he wishes. In the meantime, I ask that he remain quiet.

The Hon. J.R. CORNWALL: Members opposite cannot really have it both ways. This furphy appears to follow questions that were asked recently by the Hon. Dr Ritson. I have a full brief from the hospital administrator, Dr Elvin, and the Director of the Central Sector, Dr McCoy, specifically referring to surgical sessions, among other things.

I intend to give the further information to the Hon. Dr Ritson tomorrow when I have had time to collate this material, which was put into my hands only a little after 2.15 p.m. today.

Returning to the questions asked by the Hon. Mr Lucas, he should be aware that we have just had the Sax Committee inquiry into South Australian hospitals, which lasted over something like five months. The committee has prepared a very lengthy and comprehensive report—easily the most comprehensive report into the South Australian hospital system that has even been prepared in this State. That report, as I understand it, is about to go to the printers. It will then, of course, come back to me and thence to Cabinet. As I said before, I anticipate that I should be able to table it in this Parliament some time between mid September and early October.

Quite obviously, the Royal Adelaide Hospital or any other hospital would be less than responsible if it attempted to get into any bed reductions between now and when the Sax Committee inquiry report is published. In any case, it would be most unlikely that any hospital board of its own volition,

that much vaunted autonomy notwithstanding, would get into the business of cutting the number of available acute care beds.

As the honourable member would be aware, one of the terms of reference of the Sax Committee inquiry was to assess the metropolitan Adelaide hospital planning framework, which made a number of recommendations concerning the redistribution of hospital beds in metropolitan Adelaide. That will be one of the major responses of a committee which has looked at a whole range of major areas. As I said, if the hospital board of management in the meantime decided that it would get into voluntarily reducing the number of beds I would be amazed.

The Hon. R.I. Lucas: Will you investigate and bring us back an answer; that is all that we are asking. You are the Health Minister—supposedly.

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: I suggest that if the honourable member consults *Hansard* tomorrow morning he will see that I have already given an undertaking to bring back a considered reply. I conclude, as I started, by reminding honourable members that they cannot have it both ways: either they accept that as Health Minister I have a responsibility to see that we run a first-class hospital service and that as a Government we have a responsibility to ensure that that first-class hospital service is sustained and maintained, or they can talk about the autonomy of hospital boards without restriction and without their being vetted.

If honourable members opposite want to have it along the lines which they have been purporting to want in recent weeks I should just give the hospitals their money and let them get on with it; so be it! I have made it clear that I believe that hospital boards of management should have substantial independence, but must be subject to the general direction and control of the Health Commission, just as the Health Commission is subject to the general direction and control of the Minister and Government of the day, whatever the political persuasion of that Government.

SOUTH AUSTRALIAN SPORTS INSTITUTE

The PRESIDENT: I call on the Hon. Ms Levy.

Members interjecting:

The PRESIDENT: Order! I am a little sick of everyone trying to decide what should happen in Question Time.

The Hon. ANNE LEVY: Has the Minister of Health a reply to a question that I asked him, representing the Minister of Recreation and Sport, on 10 August concerning the South Australian Sports Institute?

The Hon. J.R. CORNWALL: My colleague, the Minister of Recreation and Sport, has informed me that of 120 individuals who have received scholarships from the South Australian Sports Institute 61 are male and 59 female. The 26 different sporting bodies comprise five male, five female, and 16 with both male and female orientation.

STATUTORY AUTHORITY BORROWERS

The Hon. R.C. DeGARIS: I ask the Minister representing the Treasurer in this Council: has the South Australian Government's new financing authority finalised the borrowing requirements for statutory authority borrowers for the 1983-84 financial year? If not, what is the reason for the delay and, if so, why have the traditional lenders not been informed of the requirements of statutory authorities in South Australia?

The Hon. C.J. SUMNER: I will take the question on board for the honourable member and bring back a reply.

SALES TAX

The Hon. H.P.K. DUNN: I seek leave to make a brief explanation before asking the Minister of Health a question about sales tax on sun screen lotions.

Leave granted.

The Hon. H.P.K. DUNN: As honourable members would be aware, the Federal Government last night brought down its first Budget. Among a number of significant increases in sales tax was a huge 32½ per cent impost on cosmetics, including sun screen agents which provide protection from solar ultra-violet rays. When one has a forehead as big as mine and those of the Leader of the Opposition and the Leader of the Government, one needs that protection. In other words, sun screen creams and lotions used by millions of Australians in summer months are to suffer a huge tax burden. Honourable members would be aware that the incidence of skin cancer in Australia is the highest of any country in the world, and this decision to impose the 32½ per cent sales tax has already been criticised by a number of anti-cancer groups. My questions are:

1. In view of the ongoing campaign by the Health Commission to encourage people to use sun screens, does the Minister support the decision to impose for the first time sales tax on this essential health care item?

2. Will the Minister write immediately to his Federal colleague (Hon. Neal Blewett), seeking a reversal of this decision in the interests of the health and welfare of millions of Australians?

The Hon. J.R. CORNWALL: My personal advice to the honourable member—and I make it quite clear that I am doing this gratuitously and not for fee or reward—would be to keep his shirt and hat on. There are many ways by which he could prevent over-exposure to the sun. I have not had any great time to ponder on this matter. It was a large Budget and, by and large, an excellent one, of course. I spent many hours poring over it, watching the television replays and interviews, and reading newspapers. I even bounded out of bed again at 6 o'clock this morning to go through all the papers.

I did notice that sun screen lotions had attracted a significant tax. I would have thought that the sort of people who use sun screen lotions are the sun lovers who go to the beach for recreation and, in that sense, that the lotions could be considered a luxury item. I do not think that it is a matter of any great moment to the economy of the nation one way or the other. I would certainly be prepared to write to my colleague, the Federal Minister, and seek his views on the matter.

DIVING SAFETY

The Hon. R.J. RITSON: Has the Minister of Fisheries an answer to the question that I asked on 4 August about diving safety?

The Hon. FRANK BLEVINS: The Department of Fisheries employs divers to carry out duties as part of a number of research programmes. In addition, a number of fisheries officers have diving skills which are utilised from time to time. The average depth dived by officers is in the 60ft to 90ft range. The maximum depth dived was 210ft, and the air mixture used is normal compressed air.

Standby divers are in attendance whenever departmental manpower requirements allow. These divers do not participate in normal diving operations whilst acting in a standby capacity. Departmental diving operations are conducted under a 'Scientific Code of Practice' determined by an interdepartmental group (Fisheries and Environment and Planning) and based on the Australian Standards Association

standard 2299. The Department of Industrial Affairs and Employment has indicated that only underwater operations involving activities described as building work or construction work under the provisions of the Industrial Safety, Health and Welfare Act, 1972-1978, require the application of the Construction Safety Regulations, 1974.

HEALTH SECTOR EMPLOYMENT

The Hon. L.H. DAVIS: I seek leave to make a brief explanation prior to asking the Minister of Health a question on health sector employment.

Leave granted.

The Hon. L.H. DAVIS: The Treasurer, in introducing the Appropriation Bill (No. 1) on 31 May 1983 (*Hansard*, page 1054) stated:

We have committed ourselves to maintaining employment in the public sector at July 1982 levels.

However, on 10 August 1983 the Minister of Health, in answering a question, stated that his Government's commitment was to stop cuts in both staff and resources in the health area. That was not only being met but has also been exceeded to the extent of 300 additional jobs which were created in the last financial year. The Minister of Health quite clearly took credit for these additional jobs. He again took credit when answering a question on 18 August in response to a question that I had asked. The Minister stated that these additional employees came into the system in crisis after the State election of 1982 and that they were specifically provided for in a Government supplement of $4 800 000.

However, in response to the Hon. Mr Cameron's question yesterday, the Minister stated that a significant number of additional staff were taken on in a pre-election situation, particularly in the larger teaching hospitals. Therefore, in his answers on both 10 and 18 August, the Minister suggested that an additional 300 jobs in the health sector were in line with Government policy. Yet, yesterday he said that a significant number of these jobs were taken on before the last election. Therefore, my questions are:

1. Will the Minister advise the Council whether the employment of an additional 300 jobs in the health sector is in line with Government policy?

2. Is the employment of an additional 300 jobs in contradiction with Government policy of 3 May which stated that there would be no increase in public sector employment above the July 1982 level and, if not, in which other public sector areas have employment cuts been made during 1982-83?

3. What is the Government's policy in relation to employment in the health sector for 1983-84? Will it be maintained at existing levels, reduced to July 1982 levels, or increased?

The Hon. J.R. CORNWALL: I have to inform the Council that the 300 additional employees were an illusion of the computer, just as the previous reduction of 300 employees—which the Hon. Jennifer Adamson claimed to the credit of the previous Government's cutting and slashing—was an illusion of the computer. The fact is that the computer gave the total number of employees in the health area as at 30 June 1982, that is, at the end of the financial year during which the Tonkin Government was last in office. The figure was 19 637.8 full-time equivalents. I was told this morning (because I wanted to know the precise figures, having been told previously previously that the figure was approximately 300 over a period of about four months—they were the figures upon which everybody had been working) that the figure (and I make no effort whatsoever to cover it up in any way) of 19 637.8, which was given officially and accepted by the previous Government and by myself as at 30 June 1982, was understated by approximately 300 employees. So, when that mistake was subsequently picked up some months later, it appeared—

The Hon. M.B. Cameron: You mean they fudged it?

The Hon. J.R. CORNWALL: No, they did not even smudge it. It was picked up as an error.

The Hon. L.H. Davis: What happened to the $4 800 000 which you allocated?

The Hon. J.R. CORNWALL: Just hang on. Shut up a minute.

The PRESIDENT: Order! I ask the Minister to conclude the answer quickly.

The Hon. J.R. CORNWALL: I will do that, Sir. The figure was understated and when the correct figure was picked up, it looked as though 300 people has arrived into the system towards the end of the last calendar year. That was consistent with pressures occurring on the Budget as a result of the fact that the estimates given in the last Budget of the Tonkin Government were very rubbery, to say the least. Indeed, that Budget was topped up by us in late November or early December by approximately $4 800 000. It is now obvious to me—

The Hon. L.H. Davis: So, you have an additional $4 800 000 to spare.

The PRESIDENT: Order! The answer is quite clear to me. I do not know how much more the Minister wants to say.

The Hon. J.R. CORNWALL: The hospitals were all running over budget and, because of the rubbery estimates provided by the last Tonkin Budget, they were supplemented as a matter of deliberate policy. We have kept the hospitals at the level at which we promised. We have met that precise election promise. At June 1983, the figures (the most accurate that I could obtain from my most senior officer this morning) indicate that the number of employees was approximately the same as at June 1982, that is, on the correct and accurate figure for 1982.

ST JOHN AMBULANCE SERVICE

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

That—

1. A select committee be appointed to inquire into and report upon all aspects of the St John Ambulance Service in South Australia with particular reference to—

(a) The part which volunteers play within that service and the community.

(b) The appropriate relationship within the service between volunteers and paid staff.

(c) The appropriateness or otherwise of volunteers being required to enter into contractual agreements.

2. That in the event of a select committee being appointed, it consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that Standing Order No. 389 be so far suspended as to enable the chairman of the select committee to have a deliberative vote only.

The Opit inquiry, which was appointed as a result of a resolution passed at a 1982 A.L.P. convention, did produce a preliminary report. As that preliminary report shows little, it follows, and is now even more apparent, that an inquiry by a Parliamentary committee is warranted. My own concerns are based on patient care, the community generally and on the right of members of the community to give their services freely and voluntarily to that community, particularly to disadvantaged members—in this case the sick or the injured. I agree with the Minister of Health when he said to the Flinders Medical Centre volunteers on 29 July—

The PRESIDENT: Order! I ask honourable members to pay some attention to the discussion so that we can hear the member who has the floor.

The Hon. J.C. BURDETT: I agree with the Minister when he said to the Flinders Medical Centre volunteers on 29 July last:

> I believe strongly that there are important personal needs satisfied by the role of volunteer in our society.

Such volunteers ought to be able to carry out their duties, in this case the St John Ambulance volunteers, without harassment and without interference with their rights as such volunteers. On my information the volunteers have been subjected to harassment by a small percentage of paid staff. I believe that the Opit inquiry was not necessary in the first place because the St John Ambulance Service, as the Minister publicly admitted, is the best in Australia. It certainly is also the most cost effective. However, the inquiry having been held, many of the volunteers are not satisfied with the outcome, and it would at this stage be appropriate for an impartial Parliamentary inquiry to be held.

Professor Opit's report was largely predictable. I understand that on his initial visit he spent about five days in Adelaide and then left for Geneva. While in Adelaide he spent most of his time with the St John management and the unions, principally the A.E.A. He presumably wrote his report while he was away and then returned to Adelaide for a very short period. His involvement with the volunteers themselves, the people who are vital in this excellent service, was minimal. There was widespread dissatisfaction with the report among the volunteers. The *News* of 5 August carried an article containing the following quotes:

> The Health Minister, Dr Cornwall, should seek a refund on the Opit report on South Australian ambulance services, it was claimed today.
>
> The report's recommendations are a 'recipe for disaster' according to State M.P., Mr Baker (Liberal, Mitcham). 'I believe our ambulance services are among the best in Australia, but the Opit report places them at risk,' he said.
>
> 'The report, which is meant to provide a basis for ongoing maintenance and improvement of the services, is badly flawed.' According to Mr Baker, the report clearly failed to demonstrate any financial incompetence or identify service deficiency. He said the report was misleading and should not be allowed to go uncriticised.

The Hon. J.R. Cornwall: What are his qualifications?

The Hon. J.C. BURDETT: He is a Bachelor of Economics and was, in this matter, largely talking about financial matters.

The Hon. J.R. Cornwall: He has no medical training?

The Hon. J.C. BURDETT: There is nothing much wrong, from a medical point of view, with the St John Ambulance Service. The *News* report continued with the following remarks about the report:

> It failed to: provide a suitable historical perspective; provide adequate financial analysis; draw correct conclusions on the financial savings accruing from the volunteer element; determine the underlying areas of conflict between volunteers and paid employees; represent the view of each body involved; consider the effect of a loss of volunteers in the event of a State emergency; correctly assign motivation with respect to volunteers; or critically analyse the approach adopted by the Ambulance Employees Association.

The final quote from the article states:

> Mr Baker said the report required a substantial rewrite before it could be used as a major reference for improving ambulance services.

The Opit Report is seriously defective, and at this stage the Council should acquaint itself of the true position through the medium of a select committee.

The Health Commission was satisfied with the outcome of the report and subsequent negotiations. The Minister has said so. The management of St John was satisfied with the outcome, as is testified by the bulletin which the Minister read yesterday. The A.E.A. was satisfied with the outcome in so far as it established a foot in the door towards its objective of removing the volunteers from at least the metropolitan ambulance service, and already they are agitating for the implementation of the remaining recommendations of the Opit Report. Their Association bulletin of 19 August states:

> . . . At this stage, discussions as to the implementation of the afternoon shifts are to continue, along with the other recommendations made in the Opit Report . . .'

And the words 'along with the other recommendations made in the Opit Report' are underlined in the bulletin. Clearly, this is not the end of the matter. Many of the volunteers are furious at the outcome. They say that they have done nothing but give ground for years.

The Hon. J.R. Cornwall: What does the Council say?

The Hon. J.C. BURDETT: I have told the Minister what the Council said. In the agreement between the Health Commission, the St John Council, the A.E.A. and the Federated Miscellaneous Workers Union, the volunteers have gained nothing. There has been no compromise except in the sense that the A.E.A. has gained only part of what it wanted. The matter has not been solved and there is every warrant for a Parliamentary select committee.

The volunteers did offer to man stations from 6 p.m. although they did not go on duty until 7 p.m. But they did this in order to avoid an afternoon shift. The proposed afternoon shift was to operate from 2 p.m. to 10 p.m. which, after 7 p.m., would encroach upon the hours in which the service was traditionally operated by volunteers. They offered to come on early, namely, 6 p.m. in lieu of 7 p.m., in order to allow the paid staff on day shift to go home, say, a half-hour early, although they would be paid for the full time. This was intended to be a concession to the paid staff as an alternative to the afternoon shift which the paid staff had been seeking. But what has happened is that the afternoon shift is to be worked by four crews from three centres (two at Hindmarsh one at Campbelltown and one at Noarlunga). The volunteers may go on duty at 6 p.m. and may relieve the paid staff. But this is no advantage whatever to the volunteers if the afternoon shift is to be imposed; that is to say, if paid staff are to be used during the time which has traditionally been the preserve of the volunteer.

The St John Ambulance bulletin quoted by the Minister acknowledges that 'once and for all the clear delineation of time of shifts between paid and volunteer at 7 p.m. is broken'. That, of course, is what the volunteers are furious about. That is what they are concerned about because they regard this as being a clear step in the wrong direction.

The volunteers fear further harassment, further friction with paid staff working in the same centres with volunteers during the same early evening hours. The working of the afternoon shift will also lead to those stations being overstaffed during the early evening. Some volunteers will become disgruntled through having too little to do and just sitting around. Also, the overstaffing may make it difficult for volunteers to clock up their necessary amount of clinical experience. The problems between paid staff and volunteers have not been solved. The A.E.A.'s bulletin is clear evidence that this is the thin end of the wedge in this matter. The new arrangement will actually exacerbate the problems between paid staff and volunteers, and a Parliamentary select committee which can operate without preconceived ideas and listen to the evidence which will undoubtedly be given by paid staff, volunteers, management, medical professionals, and, one would hope, consumers and the Health Commission can provide some answers. The St John regulations make it difficult for volunteers to express their view in public or hold meetings on the matter. They do not have permission to demonstrate.

The Hon. J.R. Cornwall: Would they be permitted to give evidence to a select committee? Have you talked to them about that?

The Hon. J.C. BURDETT: I am sure that even soldiers are not prevented from giving evidence to a Parliamentary select committee. That is why I believe that a select committee will be most useful.

I understand that the South Australian Council of Social Service (SACOSS) is organising a meeting in the near future in relation to this matter. That is as it should be, because SACOSS is concerned about the role of volunteers. I remind the Council that St John is an affiliate of SACOSS. The volunteers should be able to make their individual views known to a select committee. It is not the case that the matter is nicely settled, should not be stirred up again and the files put away, or that the matter should not be stirred up in a select committee. The matter is not settled at all. The volunteers from SACOSS will not let the matter rest, no matter what we do. The Opit inquiry produced the result required by the Government, namely, to keep the Ambulance Employees Association quiet for a while. It is only a very short while, as the A.E.A.'s newsletter indicates.

The Hon. J.R. Cornwall: You're a very cynical political operator.

The ACTING PRESIDENT (Hon. G.L. Bruce): Order!

The Hon. J.R. Cornwall: You should be ashamed of yourself.

The Hon. J.C. BURDETT: I deny the suggestion that I am a cynical political operator.

The Hon. J.R. Cornwall: What about the patients? You haven't mentioned them during this debate.

The ACTING PRESIDENT: Order!

The Hon. J.R. Cornwall: You should be ashamed of yourself.

The ACTING PRESIDENT: Order! The debate will go through the Chair.

The Hon. J.C. BURDETT: I deny the Minister's last remark that I have never shown any concern for the patients. I repeat what I said at the beginning of my speech: my own concerns are for patient care. The community generally and members of the community have the right to give their services freely and without reward to the community, particularly its disadvantaged members—in this case the sick or injured. Yesterday, I asked the Minister a question about contractual agreements. I asked the Minister why he told the Council last Wednesday that a contract of service document should be signed by all volunteers when, in fact, it was not agreed to and it will not happen. The Minister replied:

> For the very simple reason, Sir, that Mr Ray Sayers, Executive Director of the Southern Sector, sent to me a minute that explained the matter in those terms. Quite frankly, it does not matter a great deal whether or not it is a signed contract or whether the brigade decides to go through this business of seconding people to the St John Council, where they will be obliged to work under Standing Orders and according to the directions of the Commissioner of the brigade, and so forth, and all the paraphernalia that goes with the St John organisation.

In the first place, I find it astonishing under the Westminster system for the Minister, in effect, to blame one of his officers, and a good one at that, for the misleading information which was given to the Council. Whether individual contractual agreements signed by individual members were used or a routine order was used to ensure adequate clinical experience did matter, contrary to what the Minister said, and mattered very much. It was not the matter of the terms used but a matter of fact. Either all the volunteers were to be asked to sign contractual agreements or else they were not.

This was the subject of an enormous amount of discussion among the volunteers whose general stance was that whatever was agreed between the Health Commission and St John, they would refuse to sign. They at no stage had any objection to the condition being contained in a routine order, and they made this clear. The Minister, before he misled the Council on the 17th—

The Hon. J.R. CORNWALL: Mr Acting President, I rise on a point of order. We have been through this before.

The Hon. J.C. Burdett: We are going through it again.

The Hon. J.R. CORNWALL: Sit down, I have got the floor.

The Hon. M.B. Cameron: Under what Standing Order?

The ACTING PRESIDENT: It is a point of order.

The Hon. C.M. Hill: A point of order under which Standing Order?

The ACTING PRESIDENT: Any member can call a point of order. Under which Standing Order does the Minister rise?

The Hon. J.R. CORNWALL: Under the appropriate Standing Order, Mr Acting President; it is well known in the forms of this antediluvian Chamber, which has been in existence for more than 129 years. I am permitted to rise on a point of order when I am grossly misrepresented by the honourable member on his feet.

The ACTING PRESIDENT: Order! The Minister has the right to reply later to points made in the debate.

The Hon. J.R. Cornwall: I ask that the honourable member stick to the truth.

The ACTING PRESIDENT: The Minister can make that request.

The Hon. J.R. Cornwall: The honourable member has been quite scurrilously untruthful and he should be ashamed of himself.

The ACTING PRESIDENT: Order!

The Hon. J.C. BURDETT: Before he misled the Council on the 17th, the Minister—

The Hon. J.R. CORNWALL: I am sorry, Mr Acting President, but that statement is unparliamentary and I will not cop it. I did not mislead the Council; the honourable member is grossly misrepresenting the situation.

The ACTING PRESIDENT: I do not uphold the point of order, to the extent that the Minister—

The Hon. J.R. CORNWALL: In that case, you are getting bad advice from the Clerk. The honourable member cannot stand in this Chamber and accuse me. He simply cannot do it.

The ACTING PRESIDENT: Order! The Minister has the right to reply later if he feels that he has been misrepresented. Bearing that in mind, I do not uphold the Minister's point of order.

The Hon. J.C. BURDETT: Before misleading the Council on the 17th by saying that the package 'included a service document that would be signed by all volunteers', the Minister knew, or should have known, that the distinction between St John imposing conditions as to experience and a requirement for all volunteers to sign a contractual agreement was of great importance because of the industrial implications. I canvassed this matter in the Council on the 16th at page 193 of *Hansard,* as follows:

> A most important aspect is the contractual agreements between the volunteers and the St John Ambulance Service. I asked a question about this last Thursday, concentrating on what valuable consideration would flow from the ambulance service to the volunteer . . . At present, there being no contractual arrangement, the volunteers fall outside the ambit of the Industrial Commission. As soon as they sign a contractual agreement, it does not matter with whom, they move outside the charitable umbrella and come within the ambit of the Industrial Commission. One wonders (and I wonder very much if this happens) how long it will be before the Ambulance Employees Association makes an application to the Industrial Commission concerning the volunteers and what the nature of that application will be.

The Hon. R.J. Ritson interjected:

I think it will take a split second to happen.

I continued:

Yes. They might be more charitable, but it will not make much difference. Professor Opit at Page 47 says that the agreement would relate particularly to command priorities and the need for continuing experience. What makes me particularly suspicious about the requirement of a contractual agreement is that the conditions referred to by Professor Opit and other conditions could easily be imposed, as indeed they are, without a contractual agreement. There is nothing to prevent the St John Ambulance Service or the St John Council from stipulating these conditions, as conditions necessary to become, or to continue as, an ambulance officer. Non-compliance would result in removal. There are some conditions applying already, for example, as to continuing training. But, one cannot become a volunteer St John Ambulance worker until one has undergone continuous training and has passed the examinations; otherwise one is removed. These conditions could be imposed in the same way. There is no need to sign a contractual agreement. Doing what I have suggested would effectively achieve all that Professor Opit says he wants to achieve, without bringing the volunteers within the ambit of the Industrial Commission. I believe that the volunteers will accept those terms. I quite sincerely urge the Minister to reconsider this matter. Its implications may not have occurred to him—it appears from last Thursday that they have not—but, if he reconsiders this matter, the complaints of the volunteers would be considerably ameliorated. They do not complain about the conditions themselves; they complain about coming within the jurisdiction of the Industrial Commission and being the subject of applications to that commission when they are in fact charitable volunteers.

I thus made it quite clear that because, at least arguably, the signing of a contractual agreement constituted a contract of service inconsistent with the role of a volunteer, the volunteers may fall within a master and servant relationship and be subject to the jurisdiction of the Industrial Court. I explicitly drew the distinction to the notice of the Minister and asked him to agree to the procedural rather than the contractual method. And yet he still told the Council on the 17th (the next day) and the readers of the *Advertiser* on the 19th that all volunteers would sign an agreement and that this was part of the package.

In view of the previous canvassing of the distinction between a signed contractual agreement and a condition made binding through the St John mechanisms, if that was not misleading the Council, I do not know what was. This confusion about what has happened is still further proof that a select committee is needed.

I would not normally be advocating a select committee into a voluntary organisation. However, the situation in regard to St John is that St John is the only metropolitan ambulance service and is carrying out that function by agreement with the Government. In my Address in Reply speech on 16 August, I outlined the history of the arrangement between St John and the Government. I will not repeat that now. Suffice to say now that an inquiry was held in the late 1940s as to how best to operate an effective metropolitan ambulance service with a growing population.

As a result of the inquiry, an arrangement was entered into between St John and the Government for St John to operate such a service with some Government funding. The provision of the service was clearly conceived by the Government as being a responsibility which it had. Instead of operating the service through a Government instrumentality as in the other States, it decided to do it through the good offices of St John. As it is a service which the Government recognised that it had a duty to see was provided, I think the service is a quite legitimate subject for a select committee.

I believe that a select committee would enhance and not hinder patients' lives and well-being. The protestations of horror and the insults which the Minister will no doubt heap on my head will fall by the way, although they may well bore the Council. Because of the inadequacies of the Opit Report, because of the dissatisfaction of many volunteers with the outcome, and because whatever we do about it, the matter is by no means over, I urge members to support this motion for a select committee.

PERSONAL EXPLANATION: MEMBER'S REMARKS

The Hon. J.R. CORNWALL (Minister of Health): I now take the opportunity to prove to the Council that I was grossly misrepresented by the totally irresponsible remarks of the member who has just resumed his seat, and I seek leave to make a personal explanation. I will speak in the debate at the appropriate time.

Members interjecting:

The Hon. J.R. CORNWALL: Hold your beepers.

The ACTING PRESIDENT (Hon. G.L. Bruce): Order! The Minister must address the Chair. Leave of the Council is sought for a personal explanation.

Leave granted.

The Hon. J.R. CORNWALL: The member who has just resumed his seat has repeated scrurrilous and slanderous accusations which he has made over the past week and in which he alleged that I misled the Council. The honourable member knows that I did not mislead the Council; any reasonable person would know that. I said that I had information that an agreement or a contract would be entered into between the representatives of the St John organisation and the volunteers as recommended by Professor Opit.

Quite clearly, I did not mislead the Council at any stage. The exact details of the arrangements that were being hammered out or negotiated at that stage were not within my personal knowledge nor could they reasonably be expected to come within my personal knowledge, because I was not at the meeting at which the negotiations took place. However, I was informed by one of my senior officers that—

The Hon. R.I. Lucas: Whom you dumped.

The Hon. J.R. CORNWALL: No, I did not. I take great exception to that. If members opposite are to use the forms of this Council to attempt not only to—

Members interjecting:

The Hon. J.R. CORNWALL: When the lad goes away and grows up, he may—

The ACTING PRESIDENT: Order! I draw the Minister's attention to the fact that he does not have to answer interjections.

The Hon. J.R. CORNWALL: I know that, but perhaps you, Mr Acting President, should control them.

The ACTING PRESIDENT: I have called for order. The Minister must address the Chair.

The Hon. J.R. CORNWALL: I have lost my train of thought. Not only does John Burdett try to tell gross untruths about me and persistently try to misrepresent the true position in the most scurrilous and irresponsible way—

The Hon. J.C. Burdett: I documented—

The Hon. J.R. CORNWALL: The honourable member knows that it was not true. He is a mature and, formerly, responsible person—before he started to suffer from the brain failure that nows seems to afflict him, he was not so irresponsible.

The Hon. M.B. CAMERON: I rise on a point of order.

The ACTING PRESIDENT: This is a personal explanation, and I believe that the Minister is straying from the subject.

The Hon. M.B. CAMERON: The Minister is reflecting on the member who just made a speech. In fact, he is answering the debate, and he will probably want another go. I believe that the Minister has gone beyond a personal explanation.

The ACTING PRESIDENT: I uphold that point of order. On a personal explanation, the Minister should explain his

position in relation to the issue, and he should not stray from the subject.

The Hon. J.R. CORNWALL: Thank you, Mr Acting President. I do not have very much to add, except to say that not only has the honourable member impugned my reputation as Minister of Health and as a member of this Council but also he and his colleague, the Hon. Mr Lucas, by interjection, have severely impugned or attempted to impugn the reputation (and this is far worse in my opinion)—

The Hon. M.B. CAMERON: A further point of order, Mr Acting President. I repeat that I believe that the Minister is going beyond a personal explanation and is again attempting to reply to the debate. I do not believe that he should do that.

The ACTING PRESIDENT: I do not uphold the point of order on this occasion. I must draw to the Minister's attention the fact that an interjection is not even noted unless the Minister chooses to acknowledge it. If the Minister chooses not to acknowledge an interjection, it is not noted. It is up to the member who has the 'call' whether or not an interjection is recorded.

The Hon. J.R. CORNWALL: By and large, I choose not to acknowledge any interjections from the Hon. Mr Lucas, because he is a flea. That word may be unparliamentary and I will withdraw and apologise in anticipation. I conclude by saying that his impugning me in the most scurrilous way is one thing, but trying to impugn the reputation of one of my senior officers by proxy is yet another thing, and that is what the honourable member has done. Quite frankly, I think that is totally disgusting.

PERSONAL EXPLANATION: MINISTER'S REMARKS

The Hon. R.I. LUCAS: I seek leave to make a personal explanation. I claim to have been misrepresented.

The Hon. K.L. Milne: Can we get on with the debate?

The ACTING PRESIDENT: Order! The Hon. Mr Lucas has the floor. Is leave granted?

Leave granted.

The Hon. R.I. LUCAS: I wish to deny that in any way I impugned the senior officer to whom the Minister has just referred. That gentleman's name is Mr Sayers. In no way have I impugned that gentleman's reputation. I would not seek to do so. What I said, for the record, was that the Minister attempted to dump that officer.

ST JOHN AMBULANCE SERVICE

Debate on the Hon. J. C. Burdett's motion resumed.

The Hon. K.L. MILNE: Members of the Opposition seem to be a little confused between seeking a select committee and attacking the Minister of Health. I would like to make quite clear that I join this debate without attacking the Minister of Health. I have listened to the Minister on this matter and I sincerely believe that he is in a very difficult position. I have also listened to the Hon. John Burdett, and I can sympathise with his point of view and his fears. They are very close to mine. I have been aware of this problem for six years or more. It is not new, and it is created deliberately by a small group—God knows why.

I have read the submission of the F.M.W.U., the A.G.W.A. (South Australian branch), and the St John employees to the Opit inquiry, and I am impressed with it. Obviously there are some changes to be made, but not what the A.E.A. is so blatantly aiming at, in my view. It appears that this is a distortion, of the worst kind, of the trade union role. It is disruption, nastiness, class war if you like, at its very worst. I would think that the trade union movement as a whole is heartily ashamed. To refuse to drive an ambulance for an emergency call merely to prove an industrial point is utterly reprehensible.

Such men are not fit to take part in an emergency service—paid or unpaid. Of course, we care for the patient; the Government, the Opposition and the Australian Democrats all care for the patient. I do; I have had the opportunity to use that service, with a very sick wife on Christmas Day. The crew were excellent, and were a paid crew. That the current controversy should happen in the St John organisation is really a tragedy. It could not have happened in a more unfortunate environment, and perhaps the extremists have taken advantage of that. There is a big backlash, and that is a tragedy also. I think that is what we shall find.

From what I can gather, there are faults on the volunteer side, too, of course. The advent of paid ambulance crews, especially militant crews, took the volunteers by surprise and the two groups became virtual enemies. This is very sad, indeed. Yet, I suspect that the life of volunteers is not as flexible as it was some years ago and that the help of paid officers and crews is essential. I also suspect that the very first paid ambulance crews were resented and, because of that, they, too, behaved badly or tactlessly and many courtesies during the early integration were withheld or overlooked.

Since the Hon. John Burdett gave notice of his motion for a select committee, the telephones have rung hot for him and for me, and I dare say for others. So, there is something wrong somewhere. What he and I are simply saying is that there is something still not right in respect of the effort of all those concerned to solve the problem. The trouble is that it will be very difficult to sort it out, but I have the feeling that no Minister of Health—not especially the Hon. Dr Cornwall— can sort it out alone, and I do not believe that he should be expected to do so; this is why a select committee may get a great deal more light and less heat into this debate.

My instinct tells me that there is something still not quite right about what we have heard so far. I do not believe and will not support that the Minister has misled the Council—not at all. Nor do I believe that the Hon. John Burdett is being mischievous—not at all. From what I can glean privately, I believe that an independent inquiry by Parliament is appropriate and justified, and I therefore support the idea of the appointment of a select committee of this Council to take the strain. I assume—I would insist if I could—that the proceedings will be open to the public, and I will do my best to see that they are. If we are going to have a select committee it is essential that the whole thing be aired publicly and fully; otherwise, much of its value will be lost.

Instinctively, I do not like preventing young people in a community like ours from helping others in trouble. I know that there is an argument that they may be taking jobs from other people, but they are not really, because the jobs have never existed as paid jobs. I do not agree with destroying an agreement or an arrangement of this kind of long standing unless it is absolutely necessary to do so. If we are to multiply it, will we make it apply to the Royal Lifesaving Society with its hundreds of instructors and examiners? Will we make it extend to the Surf Lifesaving Association on our beaches? Will we extend it to the Country Fire Service and, if so, where will the money come from, apart from the sentimental and traditional value of these kinds of services? If one had worked in them one would have found the great expression of unselfishness by these young people, and they are quite different from those people who hang around hotels and other places getting into trouble.

So, on that, I follow an American friend of mine who, when talking about tradition and traditional procedures, said, 'Don't stop it, because you can't start it': do not stop something that is traditional and rather beautiful and wonderful if one does not have to, because one will find that one cannot replace it, and the Americans know that only too well.

For all those reasons I believe that this will be in the interests of St John in the long run, and the ambulance service, the patients, and the paid staff who make it a career. I have pleasure in supporting the Hon. John Burdett in his motion.

The Hon R.J. RITSON: I will be quite brief. A great deal has been said and I do not want to rehash all of it, but I agree wholeheartedly with the Hon. John Burdett that the situation that we have arrived at in connection with the recent agreement document will not be the end of the matter, even if we do nothing. It will not be the end of the matter even if all those people who are probably sick and tired of negotiating wish the matter away. The reason why it will not be the end of the matter is that there are certain political-industrial aspirations residing mainly within the A.E.A., and the people holding those aspirations—probably a minority of the paid officers; certainly a minority of the staff of the ambulance service—are obsessed with a number of industrial goals and are, indeed, encouraged by the gains that they have made in this agreement.

As an example of the type of gain that they have made, consider that by refusing to work from 1830 to 1900 hours lest they be forced to do a small amount of overtime—and I emphasise 'refusing to work' even when life was at risk—they have achieved a situation in which they sit on their bottoms and get paid for that time anyway and in which the volunteers come in to cover that period anyway, yet the volunteers will not be fruitfully used during that time. Additional crews have come in at the cost of $200 000 to do the work of the officers who are paid to 1900 hours anyway, and the volunteers are there as an adornment instead of as a group of people who could have saved that $200 000.

Of course, the reluctance to do overtime was not genuine: it was a device to achieve this situation. I notice that the A.E.A.'s view of the situation—and I quote from its association bulletin—is that, importantly, the professional crews will have the first right to any work that may bring them into overtime with its attendant penalties.

So, they are not really reluctant to do overtime. They want preferential access to overtime with penalty rates. The original objection to overtime was to create a crisis and was a political industrial device which worked. It is my belief that the members will be much encouraged by this gain. The next thing on the list is the 38-hour week. The question of the 15 per cent pay rise has been floated in the association's bulletin. Plans to hide the keys of ambulances in the event of a strike, so that volunteers cannot get access to the equipment, are being discussed. I do not believe that a small number of people pursuing those aims in the Ambulance Service are going to go away. So, if the file was closed at this stage, it would be a mere matter of months before another crisis arose.

A strong feeling exists, both on this side of the Chamber and in the community, that the Opit report paid insufficient attention to the examination of the value of the volunteers. The time spent on the volunteers, compared to the time spent with other elements of the ambulance service, was disproportionately small. According to my information, Professor Opit declined an invitation to watch a volunteer training session and declined an invitation so see them in an operational environment. I believe that those volunteers deserve to be heard and I believe that, nice as it would be to close the file, the matter will not go away. I support the motion.

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

TOBACCO ADVERTISING (PROHIBITION) BILL

The Hon. K.L. MILNE obtained leave and introduced a Bill for an Act to prohibit advertisements relating to tobacco, tobacco products or smoking, and for other related purposes. Read a first time.

NARCOTIC AND PSYCHOTROPIC DRUGS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 10 August. Page 97.)

The Hon. ANNE LEVY: I support the second reading of the Bill, which I believe is unnecessary and which is unlikely to ever become law. My reasons are that the matters contained within the Bill are to be covered in the fore-shadowed control of substances legislation that the Government intends to introduce shortly. There has been publicity about the fact that the Government measure is to come before the Council and its contents have been canvassed very widely in the press. So, it is no secret that it will cover the measures outlined in the Hon. Mr Griffin's Bill as well as dealing with many other matters.

In looking at the Bill before us, it is now possible for a court to confiscate any moneys received by a convicted person in connection with the commission of a drug-related offence. Confiscation can also apply to drugs unlawfully possessed or used in connection with the offence and confiscation can also apply to articles used by a person in relation to the offence. Furthermore, currently the courts can confiscate, for any prescribed drug offence, any premises, vehicle or property of a convicted person used in connection with the commission of the drug offence. The Bill before us extends this power, as recommended by the Williams Royal Commission held in another State, to confiscate or forfeit real or personal property which has been received in connection with an offence or which has been acquired as a result of committing an offence. It is an important point that it enables a court to prevent dislocation of assets by sequestration order which can be issued by a court at any time between the charge being laid and the case being heard.

This prevents an offender from dissipating any assets to other individuals or from spending such assets. If this were not done by the time a trial took place and a conviction occurred there would be no assets left. A very important clause of the Bill is that which, again following Williams, looks beyond the individual concerned in the event, to relatives, companies or trusts which involve the individual's profits from drug trading or trafficking that may be moved to other individuals or bodies. A comprehensive list of relatives and the types of companies and trusts involved is set out.

This should certainly prevent or render nugatory any attempts to move money and so benefit, directly or indirectly, from the commission of a crime. I am concerned that innocent women and children may suffer as a result of this, but I suppose any wife or child suffers if the husband or father goes to gaol, for whatever reason. If the wife and family are turned into the street and left homeless and penniless, that could be regarded as an extra punishment for the offender—knowing what he has caused to be done

to his family (should he happen to care for them). In that respect matters do not differ markedly from the situation of many women and children who find themselves well nigh destitute if the breadwinner is sent to gaol. One small worry I have with this legislation involves clause 3 *(b)* which inserts a new paragraph *(ca)* into subsection (1a) of section 14 of the Act. This paragraph provides that the premises, vehicle or property of a convicted person which has been used by him in connection with the commission of an offence can be forfeited or confiscated for offences under section 5 (2) of the Act.

Section 5 of the Act includes the offence of possession of a drug if it is a prescribed drug. I would not like to see the confiscation of a home merely because it had been used to store, let us say, a small quantity of marihuana for someone convicted of being in possession of that drug. That would be totally ridiculous. It should only apply to assets such as a home being confiscated where someone has been convicted of possession of a prescribed drug. One presumes that possession of marihuana would not come into that category and that, for the purposes of this section, marihuana would not be a prescribed drug. However, there is no indication in the Hon. Mr Griffin's Bill or second reading explanation that he considers this as being appropriate for the simple offence of possession of marihuana. To me, that is ludicrous. I would like the Hon. Mr Griffin to indicate whether he wants such confiscation to apply for possession of marihuana and, if he does not, does he believe it desirable to explicitly indicate that this is not the case in this legislation?

In general, the Bill does not make any distinction between mere possession of a drug and trading or trafficking in a drug. The legislation that the Government is to bring forward will make clear distinctions with regard to penalties and other measures applying to these different categories of prohibited substances, which the Hon. Mr Griffin does not seem to have given any attention to. I wonder if he would consider amending his Bill to make these distinctions between mere possession of and the trading and trafficking in a drug.

Mr Justice Williams certainly recommended forfeiture and confiscation powers along the lines of this Bill. The Victorian Government, in amending its legislation, has imposed extremely heavy fines without increasing powers of confiscation. In practical terms, there may not be very much difference between confiscation and a fine except that for confiscation there is no upper limit set by the Parliament as there is in the case of a fine. Also, it is not clear in the Hon. Mr Griffin's Bill whether there is both a heavy fine plus power to order repayment of a large sum of money for the same offence. I would appreciate any comments about this matter that he may make. I reiterate my main point: that this Bill is unnecessary because the Government has announced that it will introduce these measures and more in its Controlled Substances Bill which is shortly to come before us. Therefore, while I do not oppose this Bill I feel that it is superfluous and will probably wither on the vine when overtaken by the more comprehensive Government measure.

The Hon. BARBARA WIESE secured the adjournment of the debate.

INHERITANCE (FAMILY PROVISION) ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Inheritance (Family Provision) Act, 1972. Read a first time.

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

That this Bill be now read a second time.

This short Bill effects a simple amendment to the principal Act, the Inheritance (Family Provision) Act, 1972. The purpose of the amendment is to include within the range of persons entitled to claim the benefit of the principal Act the brother or sister of a deceased person who cared for him or contributed to his maintenance, during his lifetime. The principal Act provides that a person who is entitled to claim the benefit of the Act may apply to the court for an order making a provision in his favour out of the estate of a deceased person. The court will not make such an order unless the applicant is left without adequate provision for his proper maintenance, education or advancement in life.

Section 6 of the principal Act lists the classes of persons entitled to claim the benefit of the Act. At present it includes the spouse of the deceased, a person who has been divorced from the deceased, a child of the deceased, a child of the spouse of the deceased and for whose maintenance the deceased was responsible, a grandchild of the deceased or a parent who cared for the deceased during his lifetime.

In a case recently brought to the Government's attention, a person died without having made a will. She was survived by a brother and a half-sister. The half-sister had died previously, leaving two children. The deceased's estate was distributed in accordance with the rules of intestacy under the Administration and Probate Act, 1919. The result was a distribution between the full brother as to one-half and the children of the half-sister as to the other half. The result was possibly not just, as the deceased had had no contact with the half-sister or her children, whereas her full brother had made some contribution to her maintenance. While the cases in which a person would have a proper claim against the estate of his brother or sister are rare, they do nevertheless occasionally occur. The Bill will therefore enable the court to make appropriate provision from the estate of a deceased person in such a case.

Clauses 1 and 2 are formal. Clause 3 amends section 6 of the principal Act by inserting new paragraph *(d)* which includes a brother or sister who cared for, or contributes to the maintenance of, a deceased person within the range of persons entitled to claim the benefit of the Act.

The Hon. K.T. GRIFFIN secured the adjournment of the debate.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 23 August. Page 392.)

The Hon. ANNE LEVY: I support the motion. I first mentioned the desirability of reviewing our marihuana laws in this Chamber during my maiden speech in 1975. At that time my brief mention created quite a furore. Today, I will speak in a much more forthright manner and I will probably not even get a mention. Marihuana law reform is almost old hat, though nothing has changed legally as yet. It is an indication that community attitudes and values about marihuana are changing and will change further. Let us look at some of the facts regarding marihuana use in this country.

A Morgan Gallup poll conducted in 1982 and surveys conducted for the Sackville Royal Commission, with very large samples, showed that 18 per cent of adult Australians have used marihuana. The Sackville survey found in 1978 that 17 per cent of metropolitan adults have used marihuana. Of 18 to 24-year-olds, 36 per cent have used marihuana. Of the 18 to 24-year-old males, 43 per cent have used marihuana. No-one can convince me that almost half the young men of Australia today are anti-social and criminal in their behaviour. That makes a mockery of those terms.

Society would indeed be in danger of breaking down if nearly half of our young men had real criminal tendencies.

The fact is that society is obviously not breaking down and at least a large number of marihuana users do not feel that they are behaving in a criminal fashion or threatening our society or its values, most of which they themselves uphold. Another interesting fact resulting from the surveys indicates that in 1978, 30 per cent of adults said that there should be no penalty for the use and possession of marihuana. That figure is nearly double the proportion of people who admitted having used marihuana. In 1982, a Morgan Gallup poll found that 46 per cent of people said that there should be no criminal sanctions for the possession of small amounts of marihuana. That indicates a large change in attitude in just four years.

In the latest figures available, for 1980-81, 3 500 drug offences were reported to the police in South Australia, of which more than 80 per cent related to the use or possession of marihuana. The cultivation of marihuana accounted for only 5 per cent of drug offences, and other drug offences (including the use of hard drugs) accounted for the rest. Therefore, the police spend a large part of their drug work chasing people for the offences of using and possessing small amounts of marihuana. I maintain that their time could be better spent on more serious matters, such as chasing the pushers and peddlers of hard drugs, to the benefit of our community.

Changing marihuana laws would not save the taxpayer money necessarily in terms of police and court time. However, it would mean that there could be a more efficient use of resources devoted to the police and the courts. In the first six months of 1982 there were 1 337 offenders in the category of use and possession of marihuana, of whom 72 per cent were under 24 years of age. That fact is not surprising in view of what is known of the age distribution of users. What is significant is that 88 per cent of those offenders were men. According to the surveys, about 60 per cent of young marihuana smokers are men and 40 per cent are women. Therefore, there is obviously some discrimination against men in the charging of people with this offence. A female smoker is much less likely to be charged than a male.

In the last six months of 1981 most of those charged with the possession of marihuana were convicted with a penalty: only 4 per cent of those charged had their cases dismissed. The remainder now have a criminal record for life. Those people who rail against marihuana rarely consider the cost of our present laws, not just the economic cost but also the social cost. We can estimate that between 2 500 and 3 000 young people, mainly men, will be branded with a criminal record for life this year, with all the disadvantages and penalties that that implies. That situation can affect their future job prospects, their social standing and it can markedly alter their expectations for the rest of their lives. This will occur because they have been caught using or possessing marihuana, for being one of a small percentage of people who are caught out of the large numbers who use marihuana (an activity which nearly half our community feels should not be a criminal offence).

No wonder some of these people feel bitter and that respect for the law in general is reduced among young people. Furthermore, surveys such as the Sackville royal commission show that use is more frequent in the higher socio-economic groups (probably because they can afford the blackmarket prices) than in lower socio-economic groups. Yet data of those convicted of use and possession offences show that the lower socio-economic groups are over-represented—again showing a bias in regard to who is caught and charged. This selective law enforcement is one of the reasons quoted by our Sackville royal commission as a major reason for changing the law.

Another cost of our present laws is the blackmarket profits and organised crime which become involved. It is the United States experience of prohibition all over again. Smoking marihuana is a victimless crime, and trying to prevent a social activity, with no victim, which many want to undertake, inevitably leads to a blackmarket and the involvement of organised crime.

In regard to alcohol in the United States, this disadvantage was eventually realised, and prohibition repealed. Only then did prices of alcohol fall, and crime bosses left the scene as there were no fast profits to be made. The same will, I predict, occur with marihuana—only decriminalisation will get rid of the marihuana drug rings, and the illicit and vast profiteering that we all know goes on, as is shown by the Williams royal commission. They will vanish once decriminalisation occurs.

Another cost of our marihuana laws is the hypocrisy and double standards in the current situation. Older people, beer glass or scotch in hand, rail against those who wish to intoxicate themselves with marihuana. It may well be that we would have a better society if no-one ever took any intoxicating drug—but alcohol is as old as human society, and the vast majority of people happily accept the moderate use of the drug alcohol as being socially acceptable and even desirable. Why should the social use of marihuana be regarded any differently? Most undesirable if taken to excess, but a pleasant social activity in moderation—and that applies to both marihuana and alcohol.

A danger with the present legal situation, too, is that those who have to enter the blackmarket to obtain their drug of choice will have to deal with dealers of drugs who also deal in much nastier substances, such as heroin. When the profits from heroin are so much greater, there is an obvious incentive on the part of the dealer to wean the customer from marihuana to heroin. This risk, often stressed by those who oppose decriminalisation of marihuana, will obviously be reduced if the law is changed. If people can legally grow and use their own marihuana, there is no incentive to go to the illegal market, and so there is a very much reduced chance of their ever encountering heroin.

In like vein, our current laws and drug education programmes link marihuana and heroin together—wrongly classifying marihuana as a narcotic. There is a danger that young people will try marihuana, and discover for themselves that all they have been told about it is wrong—it is pleasant, non-addictive, not dangerous, and like alcohol. They will deduce that what they have been told about heroin is also wrong! This could have catastrophic consequences, and certainly it demands greater honesty in our laws and our drug education programmes. The royal commission report stated:

> We do not believe that the benefits of prohibition justify the costs of continuing to attempt to enforce it against a greatly increasing number of users . . . A law which can only be enforced in a haphazard and accidental manner is an unjust law.

I have mentioned our own Sackville royal commission several times, but it is only one of a great number of inquiries which have been made into marihuana. To summarise them briefly: there was the Indian hemp drugs commission in 1894; the La Guardia Report in New York, 1944; the Wootten Report in the United Kingdom, 1968; the Le Dain Report in Canada in 1972; the Shafer Commission in the U.S.A. in 1972; a New Zealand inquiry in 1973; the Australian Senate Standing Committee Report in 1977; a New South Wales joint Parliamentary committee in 1978; our own Sackville Report in 1979; recommendations from the Australian Foundation on Alcohol and Drug Dependence in 1982; and the U.S. National Academy of Sciences in 1982.

All these reports agree that moderate use of marihuana has no long-term harmful effects. Only last week the New South Wales Drug and Alcohol Authority announced that it is thinking of recommending changing the law. We should recognise that its use and effects relate to those of alcohol, and that society should treat the two drugs similarly.

There is an argument based on civil liberties which can be summed up as 'People can go to hell in their own way, if they choose to.' I do not wish to debate this proposition, though, as it presumes that the activity under discussion is, in fact, a harmful one. If, in fact, marihuana is relatively harmless and no danger to either the individual or society, then its use does not lead people on the path to eternal damnation—so whether or not people have the right to injure themselves is not relevant when one is discussing marihuana. I know that hysterical articles are published occasionally saying how terrible the effects of marihuana are—it leads to madness, to crime, to genetic destruction, to brain damage, and so on. To quote an example, an article in the *Readers Digest* last year emphasised the similarities in psychological symptoms of marihuana intoxication and senility, and quoted a couple of unknown so-called 'experts' to prove it. I understand that these and other such experiments have rarely been substantiated by further work, and the careful analyses and experiments evaluated by the numerous studies I have quoted place little credence on these one-off studies.

When further work does not substantiate an experiment, most scientists discount the first result, unless they have a personal bias which influences their subjective view. I strongly suspect that those who claim to have 'proved' how terribly harmful one joint can be are selecting facts to prove their opinions, rather than deducing conclusions from facts. In the same manner, most of those who claim to 'prove' that abortion is terribly dangerous and damaging turn out to be members of the Right to Life Association, and their results are never repeatable by less biased investigators.

I am not trying to maintain that marihuana is completely harmless, any more than alcohol is completely harmless. We know that alcohol can cause harm to the individual, either short term (as in nausea and impaired speech and co-ordination) or long term (as in sclerosis of the liver). I fully accept that over-indulgence in marihuana likewise can have deleterious effects, both short term and long term.

But, we do not as a society prohibit the use of alcohol. We control and regulate its use and educate and persuade people to use it sensibly and not to abuse it. Likewise, we should regulate and control the use of marihuana and teach people to use it sensibly and in moderation and not to abuse it; but we should not prohibit it.

To those who will say, 'Why introduce another drug to our society; surely alcohol and nicotine are enough?', I can only say that marihuana will not be introduced; it is, in fact, here now. We have extensive use of marihuana already. We cannot have any education regarding sensible use of it, however, due to the existing legal situation, so that intemperate and immoderate use is more likely to occur, as happened with alcohol in the U.S. during the prohibition era.

One comment that I will make concerns the charge of hypocrisy which has been levelled at people like the Hon. Dr Cornwall who advocate decriminalisation of marihuana while conducting anti-smoking campaigns, but there is no inconsistency at all. Smoking may well be bad for one, but we do not make it illegal. Marihuana may also be bad for one in excess, but it does not follow that it should be illegal, either. The social costs of making it illegal are high, as I have discussed before, and far less harm would be done by decriminalising the use and possession of marihuana, yet making it quite clear that its use should be moderate, controlled and in no way encouraged. I support the view that private use and possession of marihuana should not be a crime. I also support the prohibition of public consumption of marihuana, prohibition of use by minors, and no advertising to be permitted—all three recommendations from the Sackville Royal Commission. Decriminalisation does not mean encouragement of its use, any more than we encourage smoking of tobacco; in fact, quite the contrary, without anyone suggesting that tobacco use be made an offence under the criminal law.

Many places in the world are changing their laws relating to marihuana. So far, 11 States in the United States have decriminalised its use and put its use into the same category as a parking ticket. Studies in Maine and Oregon, where the laws were changed a number of years ago, have shown very little increase in marihuana use following the change of law, but they have shown considerable and quantifiable savings in money and time for the police and courts in those States.

Other countries, like Jamaica and Nepal, have never prohibited marihuana use. It would indeed be difficult to do so in Nepal, where the plants grow as wild as a weed along the roadside. I have seen them, and have even got a photo to prove it! The Shaffer Commission in the United States reported extensive studies done in Jamaica, in a population which commonly uses marihuana and has done so for a long time. These studies enabled the Shaffer Commission to draw its conclusions regarding the relative harmlessness of long-term moderate use. Furthermore, they emphasised the close analogy of marihuana with alcohol, both in effects and in what they felt should be the desirable social and legal restraints.

One final aspect I would like to consider is marihuana and driving. I know that it is well established that marihuana impairs driving ability, as does alcohol, though in different ways. We certainly do not want marihuana causing carnage on the roads, any more than we want alcohol-related deaths on the roads. I suspect that we already have marihuana-related accidents, given its widespread use, so that decriminalisation should not increase road fatalities.

The Hon. C.J. SUMNER: Mr Acting President, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. ANNE LEVY: But decriminalisation of marihuana would not mean approval of driving when stoned, any more than legal use of alcohol implies approval of driving when drunk. We allow alcohol to be consumed, but have strict laws against driving under its influence. In like manner, we can decriminalise marihuana whilst still prohibiting driving under its influence. In fact, we have laws now against driving under the influence of any drug, which includes marihuana.

It would certainly be handy if we had the marihuana equivalent of the breathalyser to make detection simple, and I have no doubt that some simple device will be developed before very long. But, we certainly do not need to wait until then to reform our laws. We had plenty of laws against drinking and driving long before breathalysers were developed. Many drunks were arrested and convicted without the help of breathalysers, and I am sure that the police could quickly learn to tell if a driver were stoned in the same way that they could tell if a driver were drunk.

The Hon. H.P.K. Dunn: They do blood tests to tell if alcohol is present.

The Hon. ANNE LEVY: No, plenty of people were convicted for drink driving offences long before there were blood alocohol tests.

The Hon. H.P.K. Dunn: They could not walk straight down the dotted line.

The Hon. ANNE LEVY: Maybe, but one did not need blood tests and breathalysers to convict people for drunken driving. I have spent considerable time this afternoon arguing the case for reform of marihuana laws. Some people may say that it is a trivial matter and that there are more urgent problems now confronting South Australia. I would certainly agree that there are many pressing problems confronting us, and I commend all those who attempt to solve them. But I do not think it a trivial matter when about 200 000 of our fellow South Australian citizens are made criminals by an unjust law, and when 3 500 young people each year may have their lives blighted by a conviction.

If we had an epidemic which disabled 3 500 people each year, it would be regarded as a major catastrophe and vast community resources would be allocated to alleviate and prevent its effects. I can only hope that very soon our community will recognise the damage being done by our present marihuana laws and act equally vigorously to rectify the situation. I support the motion.

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

SUPPLY BILL (No. 2)

Adjourned debate on second reading.
(Continued from 23 August. Page 395.)

The Hon. R.I. LUCAS: During the debate on the Appropriation Bill in May this year, I asked a series of questions of the Attorney-General, as Leader of the Government in this Chamber, on Government expenditure. After some three months and after some pressure in this Chamber last week during the debate on the Business Franchise (Petroleum Products) Bill, I finally received a reply from the office of the Attorney-General this morning. I thank the Attorney-General for that.

It is a matter of some concern to me that important matters such as discussions and debate on Government expenditure and questions on those matters can be left dilly-dallying in Government departments for some three months before honourable members get some sort of reply. The questions I put to the Attorney-General in that debate were in response to statements made by the Premier and the Attorney-General on the Appropriation Bill on 10 May. The Attorney-General stated:

> It is clear to the Government that the Budget presented in August 1982 was both incomplete and dishonest, and that it was never intended to meet its planned target of a balance on Consolidated Account. As the review by Treasury showed, that claimed balance had in just three months deteriorated to a likely deficit on recurrent operations of between $72 000 000 and $97 000 000, which would have meant a deficit on Consolidated Account of between $30 000 000 and $55 000 000, even allowing for the proposed diversion of capital funds. This rapidly deteriorating situation was the legacy which the Tonkin Administration left to future Governments and to the people of South Australia.

There are many other references in *Hansard* where the Attorney-General has backed up those complaints by statements or interjections on Budgetary debates. The first two questions I put to the Attorney-General in May this year I must confess contained an error. Instead of referring to the Premier's statement of February, I should have referred to the Premier's statement of December. I did point out that error to Treasury officers some two weeks ago when contacted about the matter. I thought that the Attorney-General might have been gallant enough to point out the error and then answer the question. Nevertheless, I accept responsibility for not being precise in my questions. In order to obtain the information, I will put them in the correct form on notice for the Attorney-General and then wait another three months for the reply.

There was another slight error in the questions. In regard to the Budget deficit, I talked of a Budget blow-out of $9 000 000. I was referring not to the total Budget blow-out but rather to a departmental over-run. In future I will be more precise. Question 3 to the Attorney-General asked:

> What is the estimated cost to both the recurrent and the capital Budgets in 1983-84 and 1984-85 for each of the recent major disasters—bushfire, flood and drought?

The reply given stated:

> There will be a carry-over of costs (together with a recoup from the Commonwealth) with respect to the recent natural disasters. The extent of the cost of the recent natural disasters with respect to both 1982-83 and 1983-84 will be outlined in the Budget which the Treasurer will introduce to Parliament shortly.

I am sure that those figures would have been estimated at the time of the Appropriation Bill in May. Nevertheless, the answer implied that I should sit back and wait and see. Question 4 was as follows:

> Will the Attorney-General provide a detailed breakdown of the estimated $8 000 000 over-run in departments other than the Health Commission?

The answer was:

> It would be unproductive to give a detailed breakdown on a projected over-run of $8 000 000 as at May 1983. The composition of that over-run has changed since the supplementary estimates were prepared. They were estimates, not the actual results. The appropriate time to give a detailed explanation is when the 1983-84 Budget is presented. This will be done.

I find it quite incredible that the Minister in this Chamber, on behalf of the Treasurer, can bring forward a statement which says that there will be departmental over-runs of some $8 000 000. He is prepared to give the total and yet, on the advice of the Treasurer, he is not prepared to provide to honourable members and the public of South Australia a composite breakdown of the total of $8 000 000. I hope that we will get a breakdown in due course. However, I expect that the Attorney-General is speaking of the latest breakdown in his reply. Question 5 asked:

> Was there any documented advice to the previous Government that the estimated costs included in the last Budget for additional pumping of water from the Murray River should have been $8 000 000 higher and, if so, will he provide copies?

The answer from the Treasurer merely stated, 'No'. Question 6 was as follows:

> Was there any documented advice to the previous Government that the estimates for the round-sum allowance for wage and salary increases included in the last Budget should have been $14 000 000 higher and, if so, will he provide copies?

Once again the answer stated:

> No, although in September it was becoming evident that the timing of award increases was not in line with the original Budget forecast.

Question 7 was as follows:

> Was there any documented advice to the previous Government that an extra $5 000 000 should have been provided in the last Budget for staffing levels in the Health Commission to be maintained and, if so, will he provide copies?

The answer once again is 'No', but further states:

> However, in its discussions with the Budget Review Committee in June and July 1982, the Commission emphasised that the proposed 1982-83 allocation to the commission was insufficient to introduce new health services approved by the previous Government and to meet carry-forward commitments for existing services without making savings by attrition of staff. The Budget allocations issued in July 1982 required savings to be achieved during the 1982-83 year to meet costs of new services.

Question 8 asked:

> Was there any documented advice to the previous Government that a further $2 000 000 should have been provided in the last Budget for settlement of past workers compensation claims and, if so, will he provide a copy?

Again, the answer reads:

No. New and higher levels of workers compensation benefits were introduced in South Australia from 1 July 1982. Discussions between the commission and S.G.I.C. in regard to new workers compensation arrangements commenced in May 1982. The first estimate in regard to increased costs to the commission was made in September 1982. This has been increased further in light of actual settlements experience. It should be noted that the increased costs do not reflect any increases in the number of claims.

Question 9 states:

What proportion of the $21 000 000 shortfall in revenue to the Health Commission is due to *(a)* reduction in overall number of bed/days utilised, and *(b)* increase in number of uninsured patients receiving hospital care?

The answer provided was as follows:

It is not possible to provide an accurate response to this question because of the complex inter-relationships that exist between the various factors affecting total revenue. However, in general terms, the commission estimates that approximately 80 per cent of the $21 000 000 anticipated shortfall in initially budgeted revenue is due to unanticipated reductions in fee-paying private bed days (currently estimated to be down 27 per cent on original estimates) and fee-paying public bed days (currently estimated to be down 3 per cent on original estimates).

It should also be noted that during the same period the number of non fee-paying bed days in the State's recognised hospitals has increased by approximately 12 per cent. This is largely attributed to current economic conditions.

Question 10 asked:

Was there any documented advice to the previous Government that there would be a $21 000 000 shortfall in revenue to the Health Commission and, if so, will he provide a copy?

Once again the answer stated:

No. Evidence of a continuing and significant short-fall in revenue projections did not become available until November. The commission formally revised its revenue projections downwards in January 1983.

The last four or five questions were all asked with the specific intention of ascertaining whether the allegations and inferences made in this Chamber by the Attorney-General and in the other place by the Premier were correct in respect of whether the Tonkin Government was to blame for the supposed Budgetary difficulties in which South Australia now finds itself.

That has been the implication put forward by the Attorney-General, the Premier and the State Labor Government for the past nine months. The intent of those four or five questions was to ascertain whether or not Treasury, or any Government department, had supplied the previous Administration with any advice as to shortfalls or overruns in expenditure. The Attorney-General, albeit three months late, through the Treasurer had replied that there was no advice provided by departments to the Tonkin Administration about these matters—in particular, the matter of evidence of a continuing and significant shortfall in revenue projections in the health area listed in question 10 and involving $21 000 000.

The Attorney-General and the Minister of Health, both Ministers not noted for their economic expertise, have in this Chamber blamed the Tonkin Administration for the problems related to the shortfall in revenue. The reply I received today obviously gives the lie to those claims made by the Attorney and the Minister of Health in this Chamber. It is not correct to blame the Tonkin Administration for, in particular, the shortfalls in revenue, as the reply I received today quite clearly indicates that the evidence of that shortfall did not become available until November, when, of course, there was a change of administration. Therefore, the Tonkin Administration quite clearly cannot be blamed (as the Attorney-General and Minister of Health have sought to do) for the errors or problems that might exist in the present health budget. Question 11 states:

Will the Government advise which of the component parts of the $28 000 000 deterioration in the health arena referred to in the second reading explanation is not covered by the hospital cost sharing arrangements?

The answer to that question was as follows:

$6 000 000 of the anticipated $28 000 000 overall deterioration in the health arena is in non-cost-shared areas. This includes parts of the budget supplementation and workers compensation costs and also incorporates the effects of shifts in budgeted expenditure from (cost-shared) health units to non-recognised units.

Question 12 was as follows:

Will the Attorney-General obtain the assumptions behind the estimate of accumulated deficit in Consolidated Account of $400 000 000 by 30 June 1986? In particular: *(a)* what is the assumed rate of increase in costs/prices? *(b)* what is the assumed rate of increase in unit wage costs? *(c)* have costings of Labor Party promises (now Government promises) made during the last election been included in this estimate of $400 000 000?

Honourable members will be aware that in the Budget review, and again earlier this year, the Government, through the Treasurer and the Attorney-General in this Chamber, sought to say that the problems in the budget situation in South Australia were so severe that if not corrected by 1985-86 there would be a deficit on Consolidated Account of some $400 000 000. The critical factor, which clearly the Attorney does not appreciate, is that these sorts of forward projections can be made to show whatever it is you want to make them show, depending on whatever assumptions you might like to make.

The Attorney-General, who might be a lawyer of some repute, clearly is not an economist or statistician of any repute at all and for him to parrot on in this Chamber that the underlying problems of the deficit are such that we will have a $400 000 000 deficit by 1985-86 does him no good at all. The Treasurer's answer to that question was as follows:

It would be unwise to publicise all the assumptions made, particularly those related to expected levels of Commonwealth Government support.

I interpose to say that I hope, now that we are aware of the levels of Government support from the Commonwealth in the Budget speech, that the Treasurer will make available those other assumptions that Treasury officers used to come up with this ball-park figure of a $400 000 000 deficit on Consolidated Account by 1985-86. I certainly look forward to those other assumptions being given to members of this Chamber. I continue with the answer provided by the Treasurer, as follows:

With respect to the three particular assumptions itemised, the answers are:

(a) 10 per cent—

I interpose that that was the increase in costs and prices—

(b) 10 per cent—

I interpose again that that was the increase in unit wage costs—

(c) Only the four which have been implemented.

That answer related to whether or not the $400 000 000 included the costing of some 750 promises made by the Labor Party when in Opposition. Therefore, only the four promises that have been implemented are included in that $400 000 000 estimate.

In respect of part *(b)*, the assumption that unit wage costs will increase by 10 per cent over the period to 1985-86 is very interesting, particularly in the light of the fact that the Federal Labor Government came to power with the promise of its much vaunted prices-and-income accord, which was to contain unit wage cost increases over the coming years. I think that since the early part of this year, and certainly since the time of the National Economic Summit, Government spokesmen have gone on the record as wanting to reduce unit wage costs to the region of 7 per cent or 7½ per cent.

I understand that the Budget papers released last night indicate that the projected unit wage increases for 1983-84 will be 7 per cent to 7½ per cent. That might not sound much to the lay person, or to someone with no economic

or statistical knowledge such as the Attorney-General. However, there is a difference of some 3 per cent between the Treasurer's 10 per cent assumption and the 7 per cent to 7½ per cent that Commonwealth Treasury officers are now predicting. State Treasury estimates show that for every 1 per cent unit wage increase there is about a $12 000 000 increase in the State Government Budget. Therefore, if we are looking at 3 per cent we are looking at a $36 000 000 per annum increase. If we are looking at a period of three to four years to 1985-86, we are looking at figures of $108 000 000 to $144 000 000 of that supposed $400 000 000 deficit (ball-park stuff). The amounts of $108 000 000 to possibly $144 000 000 are estimates based on assumptions different from the 10 per cent assumption the State Treasury used and the 7 per cent to 7½ per cent assumption Commonwealth Treasury officers are now using.

In respect of part *(a)* of that question, a 10 per cent estimated increase in costs and prices, or in the c.p.i., is once again most interesting because the Federal Labor Government, and certainly the State Labor Government, had both indicated that they were going to reduce the rate of inflation, the former in respect of Australia and the latter in respect of South Australia. We were no longer going to be the inflation capital of Australia. That has been proven to not be the case and we are now top of the pops, so to speak, with a figure of 12.3 per cent inflation, on the latest figures, compared with a national average of about 11 per cent. However, if the Commonwealth Treasurer's estimate last night of about 7 or 7½ per cent (and I must admit that that figure is pretty rubbery, or fudgey, whatever the 'in' word is) proves to be correct, it will be interesting to see its effect on the Budget and I will place questions on notice to find out what will be the effect of a lower projected increase in costs and prices (lower than the 10 per cent that State Treasury officers have used) on that ball-park figure that the State Treasurer and the Attorney are now parroting in this Chamber and the other Chamber.

The PRESIDENT: Order! I point out to the honourable member that this is not the Budget debate but merely a debate on a Supply Bill. It is normal for the Supply Bill to be debated as such and for it not to be debated as if it were the Budget.

The Hon. R.I. LUCAS: The money provided to the Government through the Supply Bill is spent on something. I certainly believe that matters in relation to Budget deficits, particularly $400 000 000 Budget deficits, relate to revenue and Supply and are matters of concern. However, I will try to restrict my comments to matters of Supply. My final question was:

> Will the Attorney-General provide details of the 'success in restraining expenditure levels which were beginning to run over budget at the time we came into office'?

The Attorney's reply was:

> The provision of that information would involve a time consuming and expensive use of resources. Unless the honourable member can specify the use he will make of that information, I am reluctant to seek the provision for it.

Quite frankly, without going into any detail, and without transgressing your advice, Mr President, the Attorney-General's response was quite incredible and is not dissimilar to answers that other honourable members have received in relation to budgetary and economic matters. It is disappointing that important matters raised by members on this side have been delayed by up to three months, waiting for replies. Not only are the delays disappointing; the answers provided by the Attorney are extraordinarily disappointing.

The Hon. Barbara Wiese: I waited 18 months for a reply from your Government.

The Hon. C.J. Sumner: I waited 4½ months.

The Hon. R.I. LUCAS: If honourable members opposite want me to defend those practices, I will not. I agree that delays of 18 months ought not be deemed appropriate by this Council. In conclusion, I look forward to receiving more detailed information from the Treasurer, through the Leader of the Government in this Council, during the Budget debate. I will certainly not cringe from accepting the Attorney's challenge to debate budgetary matters at any time.

The Hon. C.J. SUMNER (Attorney-General): The little discourse from the honourable member on certain budgetary matters is interesting. The honourable member seems to claim some expertise in economic matters, although I am not quite sure on what basis. Nevertheless, it is interesting to note that the honourable member complains about the delay in receiving replies to certain questions. Unfortunately, that situation seems to be endemic in the system. I am also concerned when delays occur in relation to receiving replies to questions. I can only say that the honourable member, compared with the treatment received by the previous Opposition, has been treated extremely well. If I had the time, I could provide the honourable member with many examples of unanswered questions, particularly on economic matters. If the Hon. Mr Lucas goes through *Hansard* he will note that I asked many questions and contributed to Budget debates in this Council on a number of occasions. In fact, on 11 June 1980, during debate on the Appropriation Bill (No. 1) I asked the then Attorney-General a series of questions on budgetary matters. On 30 October 1980, 4½ months after I had asked my questions in June, during debate on Appropriation Bill (No. 2), I was forced to say:

> When will the Attorney-General prevail on the Treasurer to provide answers to perfectly legitimate questions that were asked in June?

The Hon. Mr Lucas has really been quite fortunate to receive replies in somewhat less than three months, compared to the situation that prevailed under the previous Government. In fact, the honourable member used the word 'incredible' when describing the delay in receiving information. Certainly, difficulties do arise.

One method of overcoming delays in the future would be to adopt the Hon. Mr DeGaris's suggestion that a permanent expenditure review committee of Parliament be set up. Members could then be informed and gain some expertise and permanent knowledge about this issue. The setting up of that type of committee will be debated during hearings of the select committee that has been established to review Parliamentary law and procedures. The select committee could investigate the Hon. Mr DeGaris's suggestion that a permanent expenditure review committee be established to take the place of the Public Accounts Committee and the Estimates Committees. A permanent expenditure review committee could operate on a permanent basis. However, I do not wish to speculate whether that will occur. That matter should remain within the province of the select committee.

The Hon. Mr Lucas may be a whiz kid in economics, but he is no whiz kid in relation to political theory. Indeed, it is interesting to note that the Hon. Mr Lucas said that by November it could not have been the Tonkin Government that was at fault for the Budget projections being made at that time, or the mistakes in those projections. Careful questioning of the Government has apparently led the Hon. Mr Lucas to the conclusion that the Treasury advice to the Government at that time was such that the Tonkin Government could take no blame at all. Apparently, the honourable member does not realise, in terms of political responsibility, that the Ministry takes responsibility and is responsible to Parliament and the people for the advice that it receives. By November, if there was evidence that the

Budget figures were wrong (and there was such evidence) it certainly was not the fault of the Labor Government.

The Hon. R.I. Lucas: I didn't say that. You can criticise others, because I didn't say that.

The Hon. C.J. SUMNER: The honourable member has made that accusation.

The Hon. R.I. Lucas: I simply said that it was not our fault.

The Hon. C.J. SUMNER: If there was a blow-out, in terms of political responsibility (and apparently the honourable member does not understand that) it is clearly the responsibility of the elected Government of the day, which receives advice from the Treasury. A Government might be able to say that it was acting on the best advice available, and that is a defence. In terms of political responsibility, that is where the matter must be sheeted home. The honourable member claims that he did not blame the current Government, but I suspect that he did during a previous debate. However, the fact remains that by November there was evidence of a Budget blow-out and an increasing deficit. That fact cannot be sheeted home to the present Government. As I pointed out in May, the extent to which the Government is responsible for the overall deficit of $109 000 000 is nothing like that figure. That point must be conceded. When I made that accusation and when I said that about a week ago, I only received interjections from honourable members opposite saying that it was not true. Honourable members opposite attempted to criticise the proposition that I was putting.

The fact is that we can debate, when the Budget is introduced, the extent of the deficit, and we can then analyse the position in more detail. Honourable members will be able to do that. What the honourable member seems not to realise is the difficulty involved. I suspect that part of the reason why I faced problems getting answers to my questions was that it is difficult to take different points during the year, particularly during the financial year, and make comparisons. As one who claims some expertise in these matters, the honourable member has undertaken an exercise that was not entirely valid.

The fact is that one can compare the budgetary situation in one financial year to that in the next financial year, and even that may not necessarily be completely favourable, but at least we have information on which to base discussion when the Budget is brought down. That is the appropriate time to debate it. The honourable member has also sought to analyse this projection of $400 000 000, which again was a Treasury projection. If the honourable member is to blame Treasury for the fact—

The Hon. R.I. Lucas: You have to accept political responsibility.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: All right. If one is to blame Treasury for what happened by November last year, one cannot in the same breath blame this Government if the figure which obviously is a very general projection can be subject to criticism by the honourable member. Apart from that, I have not used to any great extent in this Council the argument about the $400 000 000. That was mentioned in some speeches. What I have done (and what the honourable member has clearly not listened to) is analyse what happened during the three years of the Tonkin Government in terms of deficits. The honourable member says that the Hon. Dr Cornwall and I have no economic expertise. I suspect that I know somewhat more about State finances and the State and Federal financial relationship than does the honourable member.

I can only repeat what has been said in this Council on a number of occasions by honourable members on this side and by the Hon. Mr DeGaris, the only other member who has made a contribution, and that is that a significant part of the underlying deficit of $109 000 000 on Capital Account was caused by the deliberate policy objectives and decisions of the previous Government to use capital works money to prop up the Revenue Account and not to undertake revenue raising measures.

The honourable member may be able to justify that and I suspect that it can be justified for a certain period as a temporary measure. If the honourable member could address himself sensibly to that issue, perhaps we could get somewhere in the debate, but, of course, it was interesting to note that in his contribution, while he talked about the $400 000 000 admitted projected deficit—

The Hon. R.I. Lucas: It is rubbery.

The Hon. C.J. SUMNER: Of course it is rubbery. Everyone would know that a projection of that kind would be rubbery, but it underlines the unsatisfactory nature of the revenue base and the recurrent operations in this State. The honourable member did not deny that. With his much vaunted economic expertise, I would have thought that he would have given it very little credit. The question is this: why do we have a current deficit of $109 000 000? We reached that stage because the previous Government decided to leave aside revenue raising measures and to finance its deficit with money that was allocated for capital works. I am afraid that the honourable member cannot refute that. It is a fact that, to the extent of $142 000 000, unprecedented in the history of this State—

The Hon. R.I. Lucas: And you increased it by $9 000 000.

The Hon. C.J. SUMNER: That is all right. The honourable member knows the reasons why the deficit has been increased by $9 000 000.

The Hon. R.I. Lucas: That is a 22 per cent increase under your Government.

The Hon. C.J. SUMNER: That was an increase on the basis of a projected Budget that was brought in by the Tonkin Government.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: If the extra $9 000 000 had not been transferred, the honourable member knows that the Budget deficit would have been higher than it is. Surely he understands that. I would have thought that—

The Hon. M.B. Cameron interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: The Hon. Mr Cameron talks about spending money that the Government did not have. That is really quite laughable, when one analyses what happened over the past three years. That is what I have concentrated my remarks on. Still, the Hon. Mr Lucas refuses to come to grips with the issue. He vaunts his economic expertise, when he knows that he has very little understanding of what happened. I appreciate that he was not here and I understand, of course, that the honourable member cannot take any responsibility for that situation, and thus one would expect him to be a little more honest in his analysis.

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

PAROLE ORDERS (TRANSFER) BILL

Adjourned debate on second reading.

(Continued from 17 August. Page 279.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill. It is complementary to the Transfer of Prisoners Act that was passed last year, which resulted from a decision of the Standing Committee of Attorneys-General to enact uniform legislation throughout the Commonwealth to enable

prisoners to be transferred from State to State or Territory. This Bill follows the same procedure as was set out in that Act relating to transfer of prisoners interstate. It is essentially a machinery provision where both the Minister in the jurisdiction where the parole order was made and the Minister in the jurisdiction that is receiving the parole order must agree to the transfer. They both must be satisfied that it is in the interests of the parolee and that the parolee has consented to the request for a transfer.

There are a number of reasons why a parolee may wish to have a parole order transferred, including more conducive facilities to rehabilitation, better opportunities for work, transfer to the place of residence of his or her family, or of friends who will support him or her in the rehabilitation process. I believe that it is important to be able to facilitate that rehabilitation.

The procedure of the Bill is that when the parole order is transferred it ceases to have effect in the sending jurisdiction and any imprisonment within that jurisdiction ceases to have effect, and the parole order is thereafter dealt with according to the law and practice of the receiving State. The only concern which one may raise is with the rules which may apply to parole orders in that receiving State, but that matter has to be accepted as the responsibility of the receiving State. If the parolee returns to the home jurisdiction, the original parole order and period of imprisonment prevails. So, there are adequate mechanisms to ensure adequate supervision of the parolee and to ensure that if the parolee breaches the parole order he or she will come under the jurisdiction of the State in which the parole order is registered.

As I have indicated, this Bill is similar in its provisions to that which relates to the transfer of prisoners and, accordingly, I support it. I ask only two questions of the Attorney-General. First, in what jurisdictions has this Bill already been passed? In that context, when is it likely that legislation will be in place in every jurisdiction in Austraila? The second question relates to the Act which was passed last year relating to the transfer of prisoners: in what jurisdictions has that Act now been passed and when is it likely that the Act will be passed in all participating jurisdictions in Australia? With those questions, I indicate the Opposition's support.

The Hon. C.J. SUMNER (Attorney-General): I thank the Hon. Mr Griffin for his support for the Bill. I do not have the up-to-date information which he has requested, but I will certainly obtain it and let him have a response as soon as I can.

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

SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA ACT AMENDMENT BILL

In Committee.

(Continued from 18 August. Page 344.)

Clause 2—'Commencement.'

The Hon. FRANK BLEVINS: The Hon. Mr Griffin, in his contribution when the Bill was last in Committee, expressed two main concerns. First the lack of certainty surrounding the appointment of a Chief Executive Officer-elect; secondly, a degree of what he called 'untidiness' in the implementation of the legislation.

On the first matter, he proposed that the Chief Executive Officer be appointed from the first day of the proclamation of the Act. This is an ideal time for such an appointment and one which the Government has wished to achieve. However, taking into consideration other difficulties to which I shall refer later, the Government believes that the permanent chief officer can be employed before the Act is proclaimed. The Minister has the power to sign a contract of employment, for example, which would ensure the security of tenure for the appointee, consistent with the principal Act.

On the second matter, of administrative 'tidiness', he proposed two legislative options; one was to amend the parent Act through this Bill so that the Act would come into operation on a fixed day in February 1984, or to incorporate transitional provisions which would preserve the Public Examinations Board until the 1983 examination-cycle is completed. The other option was to have incorporated in the legislation the power to suspend by proclamation the operation of any provision of the Act. This second option gives the Minister more flexibility, but it is unclear whether this would decrease or increase the level of uncertainty to be experienced by the various interested parties.

The preference of those in the education community is for the Government to defer proclamation of the parent Act and the amending Act so that the Public Examinations Board's authority for 1983 is very clear in the minds of parents, students, schools, tertiary institutions, and employers. In accepting this preference the Minister examined closely the option of a staged proclamation of the Act. As the honourable member indicated in his speech of 18 August, it is possible—and tidier (on paper)—to frame the legislation so that the Public Examinations Board remains intact until the 1983 cycle of examinations is completed. However, such 'tidiness' is largely confined to the legislative process as administrative problems of some significance would be encountered. The major problems stem from having two authorities with similar powers and functions in operation at the same time.

Specific problems include the employment of staff (that is, who is employed by whom in the transition period and with whose budget), the authority for issuing information to the public about the 1984 and 1985 examinations, and the financial accountability and ownership (or acquisition) of real property.

I remind honourable members that the present Act is worded on the basis that only one authority will exist at any one time. Also, a two-staged proclamation would require that most of the principal Act be proclaimed in the first stage.

The sections to be proclaimed in the second stage would be as follows: Part I, clauses 5 and 6; Part II, Division II, 15 (1) *(b)*, 15 (1) *(c)*, 15 (1) *(d)* and 18 (2). Without the benefit of a very detailed and costly analysis it is not possible to be absolutely certain that legal anomalies concerning jurisdiction, finance and employment would be avoided. The Government feels that it should not use its scarce resources at this time to investigate such hypothetical eventualities.

There are practical anomalies as well, in that the Public Examinations Board is needed to issue public statements about requirements for 1984; these statements are usually prepared about this time of the year. Such statements, publicised in September-October might be at variance with the wishes of the Senior Secondary Assessment Board. With two legally constituted bodies, which would have the authority?

As the transition from the Public Examinations Board to the Senior Secondary Assessment Board is to involve an overlapping of responsibilities between the two authorities, it is preferable to provide a short time in which the Public Examinations Board has the legislative authority but the Senior Secondary Assessment Board has Parliament's commitment and support to 'get on with the job' for the future.

On balance, and after extensive consultation with the Solicitor-General and the Parliamentary Counsel, the Government believes that the problems encountered under the *de facto* Senior Secondary Assessment Board are not as long-lasting as those which may eventuate under the simultaneous operations of the two authorities.

The Hon. Mr Griffin expressed the view that the legislation would be unsatisfactory if the present Act and the amending Bill were not 'tidied up'. In view of the short period of time involved (about six months), it seems to the Government that, whatever slight amount of administrative untidiness and give-and-take which might be necessary, such would be a small price to pay to ensure the lasting credibility of the 1983 Public Examinations Board exams and, at the same time, guarantee the facilitating of the effective and early implementation of the Senior Secondary Assessment Board legislation.

The Hon. K.T. GRIFFIN: I do not desire to unduly delay the passage of the Bill but I do wish to raise concerns that I have about the way in which the Bill (when passed) and the principal Act are to be dealt with administratively. I believe that a measure of sloppiness exists in the proposal. If the Education Department believes that it can satisfactorily accommodate some difficulties in the six months that will lapse between now and the date of the new board's coming into operation, then I am not going to stand in the way of that action being taken. I think the response which the Minister has given raises problems which are not likely to occur if reasonable attention is given to the drafting. That is not a criticism of the Parliamentary Counsel—far from it. It is the Parliamentary Counsel's task to draft according to instructions given. However, I believe that many of the so-called problems to which the Minister has referred in partial proclamation could well have been overcome with some attention to the drafting. It is not for me to save the Government from problems that it creates. It thinks that it can solve them by administrative action. In this case, as there is little time involved, so be it. I do not intend to raise any further objection to the Bill.

Clause passed.

Remaining clauses (3 to 5) and title passed.

Bill read a third time and passed.

FOOT AND MOUTH DISEASE ERADICATION FUND ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 August. Page 338.)

The Hon. M.B. CAMERON (Leader of the Opposition): The Opposition supports the Bill. It results from an agreement reached last year before the Minister took office. It brings in certain amendments that are required to ensure that uniform guidelines exist between the States on the matter of consultation for stock affected by exotic diseases. As the Minister stated, it has three aspects. The first is to allow extra time to claim for compensation: 60 days is an unnecessarily restricted time as it could be that cattle or stock are still affected outside of the time allowed for claiming for compensation. It allows for compensation even though stock might have been affected prior to the time of quarantine. This measure has been brought in to cover stock affected by diseases that kill rather than cause sickness. Obviously, it would be very unfair if people are unable to claim compensation because stock were, in fact, dead before the time of quarantine. The third aspect is to ensure that owners are obliged to report outbreaks as quickly as possible. These three changes will ensure that we are in line with the other States in relation to guidelines for exotic diseases. That is a very sensible requirement because it means that in one country everyone is subject to the same guidelines under both the State and Commonwealth Acts.

The Hon. FRANK BLEVINS (Minister of Agriculture): I thank the Hon. Mr Cameron and the Opposition for their co-operation in ensuring the passage of the Bill.

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

ADJOURNMENT

At 5.51 p.m. the Council adjourned until Thursday 25 August at 2.15 p.m.