LEGISLATIVE COUNCIL

Wednesday 12 February 1986

The PRESIDENT (Hon. Anne Levy) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

ORGAN TRANSPLANTS

The Hon. M.B. CAMERON: I seek leave to make a statement before asking the Attorney-General—I think he is the most appropriate Minister—a question about donor organs for transplants as indicated on drivers licences.

Leave granted.

The Hon. M.B. CAMERON: I have some difficulty in deciding which Minister I should address my question to because I imagine that it involves several Ministers. For some time the shortage of organs for transplants has been raised with me. No-one likes to think about the possibility of being killed on the road, but unfortunately the number of road deaths in South Australia is very high and appears to be increasing. In South Australia, 823 000 people are licensed to drive motor vehicles, and even if a small proportion of this number was to complete a donor authority it would provide an enormous potential pool of donors for organ transplants.

Every three years a licence application form is sent out to drivers. It has been suggested to me that, if a card authorising the donation of organs in the event of the death of a licence holder was sent along with the licence application form, or if certain questions were included on the licence application form (which could be in the form of an authority), it would provide a potential source of donor organs. Will the Attorney-General take this suggestion to his colleagues and have the matter considered by Cabinet at some time in the future?

The Hon. C.J. SUMNER: I am happy to accede to the honourable member's request. I know that this matter has been considered and debated in the community in the past. I am happy to arrange for the matter to be examined again by the Government.

LIQUOR FEES

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Leader of the Government, representing the Treasurer, a question about liquor fees.

Leave granted.

The Hon. L.H. DAVIS: Beer and spirit prices in South Australia are rising again because of the double whammy of the Federal Government's excise tax and the State Government's licence fee. The federal excise tax is adjusted in line with the consumer price index every six months. It is estimated that South Australian beer drinkers pay $85 million in excise to the Federal Government and nearly $10 million to the State Government through licence fees. In fact, because the State licence fee is tacked on to the automatic increases in federal excise, it is estimated that the South Australian Government reaps a $400 000 bonus because of the nature of the calculation that is made. Since July 1982, the recommended retail price of beer has increased from $14.28 per dozen 750 ml bottles—and these figures come from the SA Brewing Company—to $20.16 per dozen.

This represents a massive 41 per cent increase in just 3½ years—from July 1982 to the end of December 1985. In that same time prices have risen by only 26 or 27 per cent. In other words, beer prices in the last 3½ years have increased at 1½ times the rate of inflation. More than half of this movement in recommended retail prices has been as a result of the imposition of Federal and State Government taxes.

Beer—as the Attorney-General would well know—is regarded as the working man's drink. The Attorney-General would also know that beer consumption in Australia has been declining, not the least reason involved being the fact that prices are under enormous pressure. It is well worth noting, too, that in the past four years the take by the State Government in liquor taxation has more than doubled—from $15.9 million in 1981-82 to $30.7 million in the period 1984-85.

Does the State Government regard this set of facts as acceptable? Will it look at reviewing the State licence fee as it now applies to beer and also spirit? Is it making any representations to the Federal Government about the automatic adjustment which takes place every six months in the excise?

The Hon. C.J. SUMNER: The first thing to point out (and the honourable member did not do this—in fact, he implied that the opposite was the case) is that the State licence fee is not increased automatically during the year in accordance with the CPI, as is the federal excise, and that should be made quite clear. It should be clear to the honourable member. He is being inaccurate if he says that the State Government fee is automatically adjusted in accordance with an increase in the CPI. That is not correct.

The Hon. L.H. Davis: It is based on the wholesale price.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: The Government obviously has all matters relating to its budget under review when it is considering the question of expenditure and revenue prior to the introduction of any budget, but it does not have any intention at this stage of interfering with the licence fee. The budget was set—as the honourable member knows—last year and passed this Parliament with the honourable member's support. That included in its calculations and figures the liquor licensing fee, as has been outlined by the honourable member.

Obviously, there would be no change to that in this particular financial year. Whether there would be any change for the next financial year will obviously depend on the budget that will be brought down by the Treasurer in August of this year. I am certainly happy to refer the honourable member's question to the Premier and Treasurer for his consideration.

TELEPHONE TAPPING

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation prior to directing a question to the Attorney-General on the subject of telephone tapping.

Leave granted.

The Hon. K.T. GRIFFIN: In April 1985, the Premier emerged from the drug summit in Canberra confirming that State police would be given powers to tap telephones in the fight against drug trafficking. Later that year (in fact, in June) we learnt that the Premier had written to the Prime Minister confirming a willingness for State police to have these powers because they were an important part of the powers necessary to fight drug trafficking. At the time, three South Australian left-wingers—Mr Peter Duncan, Senator Bolkus and Mr John Scott—opposed the granting of those powers to State police.

In January this year, only two weeks ago, the Director of the Federal Bureau of Investigation in the United States, Judge Webster, said, when in Australia:

> Australia will surrender to organised crime if it does not empower police to tap telephones and use advanced electronic surveillance technology.

He also said:

> We are dealing with very sophisticated, often very dangerous and powerful enterprises. These techniques do not unreasonably intrude upon individual liberties.

He said that criminals, including terrorists, gravitated to countries that were tolerant and to that extent Australia was a weak link. At the time of the report, Senator Bolkus again joined the debate and said that there was no need for further extension of police powers to tap telephones. To the extent that he asserted police already had adequate powers to perform this function he was in error. It is now almost a year since the Premier agreed to State police having telephone tapping powers, but they still do not have them to use in their fight against drug trafficking. My questions are as follows:

1. In the light of Senator Bolkus's consistent opposition to State police having the power to tap telephones, does the Government intend to proceed with the granting of that power to State police?
2. If it still has the intention, when will the granting of that power occur?
3. Why has there been such a long delay in granting those powers since the announcement at the drug summit in April last year?

The Hon. C.J. SUMNER: The State Government has made its view quite clear on this topic on a number of occasions. The Premier has written to the Prime Minister indicating that the State Government would be prepared to cooperate with the Federal Government in permitting the tapping of telephones in this State in relation to drug offences in this State. That was the agreement reached by the drug summit in April last year. That view has been confirmed to the Federal Government by the Premier on a number of occasions.

Senator Bolkus has a particular view about this matter. That view does not represent the view of the State Government. The State Government, and the Premier, have made their views known, first, at the drug summit, where agreement was reached between the Prime Minister and the Premiers that telephone tapping by State police to detect drug offences could be a useful aid in the fight against drugs. That was in the communique, as I recall it. That was confirmed by the Premier in correspondence to the Prime Minister, was confirmed in debate in this Parliament last year when the honourable member raised the matter, and was confirmed again, I believe, during the election campaign.

There has been no resiling from that position as far as the State Government is concerned. As the honourable member would know, it is not possible for the State Government, or the State Parliament, to legislate with respect to the Telecommunications Act, which is a Federal Act. If telephone tapping is to be permitted in drug cases then that is something that has to be authorised by the Federal Parliament. I am not sure why that Parliament has not yet acted in this matter. However, I am happy to make inquiries and refer the matter to the appropriate federal authority.

The State Government's position remains unaltered. We are ready to cooperate with the Federal Government in the operation and are awaiting the necessary legislation which, obviously, must come into effect as a result of Federal Government and Federal Parliament action.

What we had agreed to was State police cooperating in telephone tapping for State offences under very strict guidelines and conditions. That is still the position with respect to judicial warrants and the like to ensure that some *prima facie* case or some suspicion at least had been raised to give cause for telephone tapping to take place. In other words, it was to be done with respect to drug offences and under judicial supervision.

The Hon. K.T. GRIFFIN: I wish to ask a supplementary question. In light of that response, will the Attorney-General arrange to make representations either himself or through the Premier or other responsible Minister to the Federal Government to speed up the granting of those powers to State police?

The Hon. C.J. SUMNER: As I said in answer to the previous question, I am happy to take the matter up with the Federal Government to ascertain the position and to reiterate the State Government's position.

METROPOLITAN ADELAIDE

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Minister of Local Government a question relating to a report on metropolitan Adelaide.

Leave granted.

The Hon. I. GILFILLAN: I have been advised that there is an imminent release of a report on long term development options for metropolitan Adelaide, a document which although not perhaps shrouded in complete secrecy has been evolved without, to my knowledge, any involvement of local government. This is somewhat surprising since I understand that this report deals with the need for more development areas in metropolitan Adelaide and wider metropolitan Adelaide. The areas allegedly considered are Sandy Creek, Willunga, Mount Barker and Virginia. Also, I draw attention to the option of urban consolidation which could be summarised as 'We must go up and fill in'. As a result of this report there could be quite incredible pressures put on inner Adelaide for high rise development and filling in gaps.

If I have been accurately advised, it seems to me that the report could be the cause for considerable conflict with local government, which is already very sensitive to any intrusion on its powers of planning and zoning, with some justification. We support that it is local government's integral right to make those decisions. It is with that concern in mind that I seek some facts about this report and confirmation as to whether it is about to be released. I ask the Minister of Local Government the following questions:

1. Were the Minister and her department involved in compiling the report?
2. When will the report be presented or made public?
3. Have councils or the Local Government Association been consulted? If not, why not?
4. Will the report be presented as a *fait accompli* or will it be subject to public discussion and amendment?

The Hon. BARBARA WIESE: The report to which the honourable member refers is one which has been prepared for the Minister for Environment and Planning, as opposed to the Minister of Local Government. Therefore, my intimate knowledge of the report is limited to information that I have been able to glean through discussions I have had with the Minister for Environment and Planning.

I cannot answer the question directly about Local Government Association involvement in the preparation of the report, because these matters have been under way for a long time and were instigated prior to my becoming Minister, so my knowledge of what happened prior to that period is rather sketchy. However, I would be surprised if members of my department and members of the Local Government Association were not involved in some way in discussions on this question because the State Government has been pursuing a rather vigorous policy over some time

now of keeping local government and representative bodies closely informed about the developments that the State Government is pursuing.

There would be few occasions when local government was not consulted on issues that are of importance to it. Although I cannot answer the questions directly now, I will certainly ascertain the information that the honourable member seeks from the Minister for Environment and Planning and bring back a reply. As I say, I shall be very surprised if local government has not been involved in the deliberations.

The Hon. I. GILFILLAN: I desire to ask a supplementary question. Is the Minister aware that a meeting was arranged between herself, the Minister for Environment and Planning and the President of the Local Government Association for tomorrow and that that meeting has now been brought forward to this afternoon? If the Minister is not aware of that meeting, is there some lack of communication between the two Ministries, or can the Minister give us some information about this proposed meeting that I understand is to take place at 4 o'clock this afternoon?

The Hon. BARBARA WIESE: Often it is rather difficult to keep up with one's own appointment schedule but I am usually on top of things to the extent that I know what is happening on any one day. Yes, I am aware of the meeting that has been scheduled for me to meet with the Minister for Environment and Planning and the President of the Local Government Association. We will be discussing planning issues and briefing members of the Local Government Association on some matters that the Government is intending to act upon. It would not be appropriate at this stage for me to talk about the things that we are discussing with the association until we have had the opportunity of having those discussions with the association itself. That is the point of the exercise: to give it prior information about certain things that are taking place. It would be improper for me to pre-empt those discussions by discussing those matters here.

The Hon. I. GILFILLAN: I desire to ask a further supplementary question. Is the Minister able to say whether or not the meeting will discuss the report on metropolitan Adelaide development?

The Hon. BARBARA WIESE: That will be one of the issues we will be discussing this afternoon. I can confirm that.

SHOPPING HOURS

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister of Tourism a question about shopping hours and tourism.

Leave granted.

The Hon. DIANA LAIDLAW: I trust that the Minister is aware of a report on Japanese Australian tourism compiled last December by the Federal Department of Sport, Recreation and Tourism. The report highlights increased interest by Japanese tourists in Australia and the expected escalation in tourists from that country in the near future. However, the report notes that the Japanese have very strong reservations about Australia as a tourist destination.

This conclusion is based on a departmental survey of Japanese travellers who were given a list of 37 countries and eight terms to find a general impression, and they were asked to select three countries fitting each description. As a consequence of that survey Australia scored very poorly in the enjoyable shopping category. While Hong Kong was rated by 42 per cent of respondents, France by 37 per cent, Singapore by 22 per cent, Hawaii by 18 per cent, and the United States by 18 per cent, Australia was rated by a mere 1.8 per cent.

The paper also states quite clearly that this is an area where Australia must lift its game. The importance of shopping was illustrated by research on the spending habits of international visitors to Australia in 1983. The average visitor spent 25 per cent of his or her total budget on shopping, while the Japanese spent 35 per cent. The department's paper continues by stating that Australia had to provide similar or better standards of service and facilities generally if it hoped to attract the Japanese away from other competitive destinations such as Hawaii and Europe (and in both instances the Minister will be aware that flexible shop trading hours are a highlight of a visit to those countries).

In South Australia I understand that the Government's position in relation to shop trading conditions rests on a challenge to the retailers and union officials to agree to extend hours, that is, if the two agree the Minister of Labour, in turn, has agreed to take their recommendations to the Government to have them implemented. In view of the priority which Japanese tourists place on an enjoyable shopping experience when assessing a holiday destination and the Government's professed desire to attract Japanese tourists to South Australia, does the Minister agree that it is sufficient for the Government to leave the issue of shop trading hours simply to retailers and union officials to determine? If not, will she undertake to make representations to the Minister of Labour that the Department of Tourism and the tourism industry in this State should play a central role in determining the future of shop trading hours in South Australia?

The Hon. BARBARA WIESE: The honourable member raises a very important question. Although I am aware of the federal report to which she refers, I am not absolutely convinced that the conclusions that are drawn about the surveys that have been conducted amongst Japanese tourists are necessarily correct. I say that because from discussions that I have been having with representatives from various Japanese travel organisations, as recently as two days ago, one of the things impressed upon me very clearly is that shopping hours are not necessarily as important to Japanese visitors as is accessibility to the right kinds of retail outlets for them to purchase the things they are interested in purchasing.

The matter of quality and the nature of the products that are available are also very important to Japanese tourists. By all accounts, Japanese people are very keen to purchase items which are unusual, preferably things which are not likely to be able to be purchased in their own country. Because they enjoy holidays that are very action oriented, where they are able to move around a lot, they also want very easy access to retail outlets.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: It seems to me that working within the shopping hours that we have, if that is what we have to do, we can meet the needs of Japanese tourists by structuring our holiday packages to ensure that shopping time is built into their programs; and we should make very good recommendations about the kinds of retail outlets where they will be able to buy the sorts of products that they are interested in purchasing. That is certainly the view expressed to me by Japanese travel authorities who have been visiting South Australia.

With respect to shopping hours in South Australia, I agree with the Minister of Labour when he says that we must have an agreement between retail traders and the trade union movement to bring about a more flexible approach to shopping hours, if that is considered to be desirable as a

general proposition within the community. Obviously, it will work much better if we have agreement between the people who are participating. It seems to me that we must rely on that agreement taking place. Obviously, there are varying points of view about whether or not we should have more flexible shopping hours and, if we do, whether it should be continuous or at particular times of the year or in association with particular events.

I think one would find within the trade union movement and certainly within the retail industry different points of view about those issues. It is not a matter of just deciding that it is desirable to do it and that we must push for it; we need to be a little more careful about the proposition that we present to the people involved in this area. I think it is true that both the retail traders and the trade union movement are very well aware of the attitudes of people involved in the tourism industry who may be suggesting that retail shopping hours should be extended. No doubt they will take those views into account when determining their position on these issues.

MENTALLY ABNORMAL OFFENDERS

The Hon. R.J. RITSON: I seek leave to make a brief explanation before asking the Attorney-General a question about mentally abnormal offenders.

Leave granted.

The Hon. R.J. RITSON: I am sure that the Attorney is aware that from time to time judges make public statements concerning defendants that stand before them convicted of a variety of offences which on the face of it merit imprisonment but where there is evidence of some psychological or intellectual defect in the accused which causes the court to believe that the person is not deserving of punishment. The Attorney will also be aware that in a number of these cases the mental health authorities take the view that the defendant is not suffering from a classical psychiatric illness and they would, for instance, class organic brain damage as a condition which would not be a treatable psychiatric condition. Hospitals decline to take such patients, particularly where the accused is fractious or of difficult temperament. Therefore, with some reluctance the judiciary will imprison people and express their reluctance and the wish that there was another way of dealing with these cases.

The Attorney-General will also be aware or, if he is not, a simple inquiry will confirm that persons who are mentally ill—and so mentally ill that they would be legally insane under the outmoded McNaughten rules—nevertheless end up in prison from time to time due to the fact that they decline, through their counsel, to plead insanity. I know of one case where the person imprisoned was unaware of his whereabouts and unaware that he had ever been on trial; and there are various other examples of this. The Attorney-General will be aware of the fact that a very extensive report by Dame Roma Mitchell was brought down, most of which dealt with the much wider areas of general social support for people with a variety of mental and social problems.

Only half a page dealt with the problem of mentally abnormal offenders. My question to the Attorney-General is this: first, is he aware that there is a problem whereby mentally abnormal people—considered by the courts not to be deserving of punishment—are nevertheless sent to a place of punishment? Is he aware that some people who are mentally ill—and, indeed, probably would have been legally insane had the matter been tested at trial—are in prison?

Is he aware that this raises problems with the system we have now with automatic parole? Has the Attorney-General considered the merits of following the United Kingdom, Queensland and New South Wales in their move to the system of the law of diminished responsibility and special hospitals? If not, will he consider this and have discussions with his fellow Ministers whose portfolios overlap this area of responsibility, and will he consider giving both greater emphasis and greater funding to forensic psychiatric services in this State and to drawing from the experiences of New South Wales and Queensland in an attempt to sort out this problem of appropriate management of mentally abnormal offenders?

The Hon. C.J. SUMNER: The issue raised by the honourable member is obviously one of considerable importance, and the Government is aware of some of the problems that have been outlined that occur in this area. It was as a result of that that the Government set up the inquiry by a former Justice of the Supreme Court (Dame Roma Mitchell) into behaviourally disturbed persons. That report was made public, as the honourable member has mentioned, and it was referred to Mr Cox—a Public Service Board Commissioner—for implementation strategy to be prepared. That is proceeding.

With respect to the question of dealing with this issue in the law—apart from the normal rules of insanity, the so-called McNaughten rules—it is a matter that I am prepared to examine to see whether any reform of the law is desirable in this area. As to the honourable member's assertion that there may be legally insane people in prison, that is something that I am not prepared to affirm as being the case. I am not sure from where the honourable member obtained that information or, indeed, whether there is any factual basis for that information.

The Hon. R.J. Ritson: There is: you will have to trust me.

The Hon. C.J. SUMNER: If there is manifestation of that insanity in prison, there can no doubt be other action taken, and the prisoner can be hospitalised. I think that that is an assertion that the honourable member makes without any factual basis. There may be a possibility of that occurring, but to suggest that there is a factual basis for it in South Australia I think is stretching the point.

Then to indicate further that that causes problems because of automatic parole is, of course, being ridiculous, because there is not automatic parole as such under the existing system. As the honourable member knows, a judge sets a sentence and, whether it is under this system or the previous system, at some point in time a convicted prisoner is released. The different parole systems merely determine the mechanisms whereby convicted prisoners are released into the community.

To draw the conclusion that the honourable member did is, I think, quite wrong: namely, that because, first, there are legally insane people in prison and, secondly, that that has great dangers because of automatic parole, is quite erroneous. With respect to the sensible parts of the honourable member's question, I am quite happy to examine the issues raised, which are important, and to examine whether or not any reform of the law of insanity is desirable in this State.

The Hon. R.J. RITSON: I ask a supplementary question. Will the Attorney-General discuss the matter with his interstate colleagues at the next conference of Attorneys-General?

The Hon. C. J. SUMNER: That is a matter that I am prepared to canvass with them informally. Whether they will agree to have the matter placed on the agenda of the standing committee, I do not know. It may be appropriate—although, generally, the issues placed on the agenda of the standing committee are those that have some State-Federal component or that deal with issues relating to matters in more than one State, but this is obviously a matter of common concern, and I am certainly happy to bear this in

mind at the next standing committee of Attorneys-General, raise it with my colleagues and, if they feel it is an appropriate matter to be placed on the agenda, then we can no doubt consider it in that forum.

The Hon. R.J. Ritson: Informally will do: just find out?

The Hon. C.J. SUMNER: Yes, indeed.

LOCAL GOVERNMENT ACT

The Hon. C.M. HILL: I seek leave to make a short statement prior to directing a question to the Minister of Local Government on the question of the revision of the Local Government Act.

Leave granted.

The Hon. C.M. HILL: The question of revision of the Local Government Act is one which goes back to about 1967, and efforts have been made by Governments since that time to bring the Act up to date so that those within that sphere of government in this State have modern and up-to-date legislation under which to manage their affairs. Unfortunately, there have been long delays in the procedure.

The plan has been that a series of Bills should be introduced into the Parliament and dealt with singly and ultimately, in this staged process, when all those Bills have been passed by this Parliament, the individual pieces of legislation could then be wrapped up into the one overall Statute forming the Local Government Act. The Bannon Labor Government of the past few years managed to bring one Bill—a very important Bill—down from that series, but at that time—and even since—it has been mentioned that there are three or four Bills to follow. I am concerned that the Government did not mention the matter yesterday in the Governor's speech, that a Bill was to be introduced to amend the Local Government Act. I suppose one should assume from that that we are going to have another four years of delay.

I had hoped that the legislation that the Government has in mind would be mentioned in the Governor's speech, which was prepared by the Government, and that the Government has not got matters in mind that it did not include in that document. There was no mention yesterday of the future Government program to include an amendment to the Local Government Act.

I re-read it to double-check that point. I listened very intently yesterday waiting hopefully for the message that at last this Government, under the new Minister (who has not held this portfolio for very long), would be giving this aspect top priority. My questions are:

1. Can the Minister assure the Council that the Government is continuing with this process of revising the Local Government Act?

2. When can the next Bill in this series be expected in the Parliament?

The Hon. BARBARA WIESE: If the honourable member had paid attention to statements I have made on a number of occasions, both in this place and at public functions that I know he has attended, he would know the Government's intention, particularly during the next 12 months, to proceed with the revision of the Local Government Act. I have said on previous occasions that 1986 will be the year during which we introduce the second Bill to proceed with that revision. That second Bill will deal with the financing and rating sections of the Local Government Act.

The plan is to produce a series of discussion papers on the various issues that have to be addressed in the rewrite of this section of the Act. I expect that within the next few weeks those papers will be available to distribute to all people interested in local government. That will be the beginning of a period of consultation between the Government and local government authorities so that we can get a clear indication from local government circles of their views on the various issues that must be addressed when we revise that part of the Local Government Act.

It is then my intention during the budget session this year to introduce a Bill incorporating those ideas. In addition, during this four-week session of Parliament I intend to introduce a Bill which I guess has become known as the 'rats and mice Bill' for local government and which will deal with very minor amendments to the Local Government Act. Such legislation is usually introduced annually. As the review of the Act takes place, various sections are identified as obsolete and require minor changes which immediately need to take place to improve the administration of the Act and the powers of local government authorities. During this session, I will introduce a Bill of that kind.

Broadly, that is the legislative programme with respect to the revision of the Local Government Act for this year. The reason why these matters were not mentioned in the Governor's speech is that this is only a four-week session and the major Bill, which is the second stage of the revision, will be introduced during the next session of Parliament and I hope will be mentioned in the Governor's speech at the appropriate time. The speech given yesterday was primarily restricted to discussing issues to be debated during this term of this Parliament.

PETROL RETAILING

The Hon. M.J. ELLIOTT: I seek leave to made a brief explanation before asking the Minister of Consumer Affairs a question about petrol retailing.

Leave granted.

The Hon. M.J. ELLIOTT: As a person who has lived most of my adult life in country areas I believe that petrol pricing has seemed to be terribly iniquitous. Although the price war has continued in Adelaide and for about half the time petrol is selling at below the wholesale price, country people are continually paying up to 60 cents a litre. It is clear to me that there is something wrong with the pricing system, and I know that the State Government has found the situation difficult and handed it to the PSA. The Government is failing in its job and country people are being treated iniquitously. The whole thing is a can of worms.

It recently came to my attention that an *ad hoc* committee has been set up on petrol retailing. After making some inquiries, I was told that that committee's inquiries would relate only to the metropolitan area and would preclude pricing. Can the Minister say whether it is correct that country areas and pricing have been precluded from that inquiry and can the terms of reference be made available to me?

The Hon. C.J. SUMNER: The country, as such, is not precluded from the terms of reference of that inquiry. The *ad hoc* committee has been established with representatives from oil companies and the South Australian Automobile Chamber of Commerce. Obviously, oil companies are involved in the country and members of the South Australian Automobile Chamber of Commerce are also involved in the country.

The inquiry was established under the chairmanship of Mr Geoff Virgo, a former Minister of Transport and Minister of Local Government in the Dunstan Government for some 10 years. The committee has been described as an *ad hoc* committee because it is not a formal inquiry in the sense of a Royal Commission or anything of that kind. It really is an attempt to bring together two of the major parties in the petrol industry to deal with some of the issues that are of concern.

To metropolitan dealers the issue of concern is the discounting that has occurred. One of the reasons given for that discounting, and therefore for the problems of viability of the retailers in the city area, is that there are too many sites in Adelaide. An exercise was undertaken during the 1970s to rationalise the number of sites in the metropolitan area in an attempt to solve the problems of profitability that were identified at that time. This committee will examine the question of any future rationalisation of sites in the metropolitan area. If, indeed, it is identified that there are too many sites in country areas, the committee is not precluded from examining that matter.

The Chairman of the committee has been asked, in consultation with the committee, to examine the question of cross-brand purchasing. One of the complaints made by retailers is that they cannot get the product at a price that they believe is satisfactory because they are bound to purchase from the oil company for which they operate either as a commission agent, lessee or independent seller. At law, that is not, in fact, strictly correct because they are entitled to purchase cross-brand. However, that has not been a practical reality in most circumstances because there are industrial objections to delivering cross-brand—in other words, to permitting retailers to purchase from wherever they like. That is another issue being examined by the *ad hoc* committee.

As I have said, it is an *ad hoc* group. I do not want to overemphasise the importance of it. It is an attempt to get people together to talk about some of the problems in the industry. I am happy to let the honourable member have details of the terms of reference, but it is set up to examine the question of rationalisation of sites. The Chairman has also been asked to look at cross-brand purchasing and one or two other issues.

So, it does not preclude the country. It could be argued that in the country there are too many outlets in some areas and that that means that country people pay more for petrol because the overheads that have to be covered in order for each individual retailer to get a profit are greater because there are more than the required number of sites to supply the public. Country areas are not excluded from that inquiry; the question of pricing is, however. The Government made its position quite clear: it will not intervene in price discounting in the metropolitan area.

The South Australian Automobile Chamber of Commerce is not the only voice in this area. Some members of the South Australian Automobile Chamber of Commerce support petrol discounting in the metropolitan area and they wish to see no Government intervention and also want 24 hour trading. There are no restrictions on trading outside the metropolitan area. Another issue that the *ad hoc* committee is looking at is the question of trading hours for petrol stations in the inner metropolitan area.

The question of trading hours is something for the metropolitan area but that has only occurred because there are no restrictions in the outer metropolitan area and in the country on trading hours for petrol resellers. However, I reiterate that on the question of pricing the Prices Surveillance Authority has the power to examine petrol pricing and to fix a wholesale price. That is what it does.

There is a freight subsidy allowed to the country but the major reason for the difference in petrol price between country and city areas is that in the city areas there is competition. There are independent retailers like Mr Skorpos and Mr Nemer who are in the market place competing. In the country competition does not occur to the same extent. One gets an even price in the country, which is the wholesale price with the freight addition and, on top of that, country resellers get a margin which is usually greater in the country areas for the sorts of reasons I outline. Throughput is not as great. Perhaps there are too many sites in some country areas. But the primary reason for the difference is that there is competition amongst retailers in the metropolitan area which does not exist in the country.

I am not sure how the honourable member proposes that that should be resolved. If he suggests that city consumers should subsidise country consumers I am happy for him to introduce a Bill to do that quite openly. However, he cannot come into Parliament and carp about the difference between petrol prices in the country and the city unless he has a solution to it and unless he tells his constituents in the city that they will have to subsidise country consumers, because that is what he would have to do.

The Hon. C.M. Hill interjecting:

The Hon. C.J. SUMNER: That is not right. An analysis which shows that at present the cost of distribution of petrol in country areas—

The Hon. C.M. Hill: A terribly long answer; you're playing for time.

The Hon. C.J. SUMNER: I am not. I will give the honourable member an extension of time. I am quite happy for the honourable member to discuss this matter with the Prices Commissioner and for him to see the material that has been put forward. The analysis shows that at present the city motorist is already subsidising the country motorist because the cost to the oil companies of distributing to the country is such that they do not get back the full amount: the freight subsidy is not sufficient to cover their distribution costs in the country.

According to the analysis, already there is a subsidy from city motorists to country motorists. If the honourable member wishes to produce a greater subsidy from city motorists to country motorists he can do that: he can introduce a proposition into the Council. I understand that that is what he supports. If he does not, perhaps he can explain why. The issue is not particularly simple. The Government has made clear that it has no intention of interfering with discounting in the city area.

It is prepared to address some of the problems of resellers or at least to get the industry together to talk about some of those problems I have outlined—opening hours in the metropolitan area, number of sites and cross brand purchasing. The country is certainly in no way precluded from that inquiry, except with respect to opening hours in the metropolitan area. However, I firmly state that it certainly has no brief and will have no brief to deal with the question of petrol pricing. If there is any—

The PRESIDENT: Order! I draw the Attorney's attention to the time.

The Hon. C.J. SUMNER (Attorney-General): I move:

That Standing Orders be so far suspended as to enable me to complete this reply, to enable the Hon. Murray Hill to ask one question and to enable me to give some notices of motion.

Motion carried.

The Hon. C.J. SUMNER: If problems of country motorists are to be addressed, they obviously need to be addressed by some form of subsidy. That is not something that the State Government can do. It needs to be addressed throughout the nation. The major difference between cost in the country and cost in the city is discounting and competition in the city.

The Hon. M.J. Elliott interjecting:

The Hon. C.J. SUMNER: Maybe they are; that is right. Some people are doing that in order to get market share and to get people into their service stations. It is competition among retailers. The Automobile Chamber of Commerce believes it is unfair competition. The majority would believe that it is. However, a significant number of resellers want discounting and like it. Mr Skorpos is a member of the South Australian Automobile Chamber of Commerce. He

is always pointed to as one of the persons who leads down the market. I do not intend to intervene in that and thereby disadvantage consumers in the metropolitan area who are getting significant benefits from that discounting. That is why it occurs. If the honourable member can encourage resellers where he lives in the Riverland or whatever to compete, perhaps there could be some reduction in the petrol price in those country areas. Certainly if he wishes to make representations to the *ad hoc* committee, it could deal with the question of the number of sites in country areas.

LEGISLATIVE PROGRAM

The Hon. C.M. HILL: I seek leave to make a short statement prior to directing a question to the Leader of the Government in this Chamber on the Government's legislative program.

Leave granted.

The Hon. C.M. HILL: I was a little concerned yesterday when listening to His Excellency's speech in that it was very brief relative to items of legislation which the Government proposes for this session. I do not imply any criticism whatsoever of His Excellency by raising this matter, but I am critical of the Government which, of course, prepares his speech. In regard to an answer given earlier today by the Minister of Local Government, can I assume that the Government intends to prorogue Parliament in approximately four weeks time and start a new session later in the year?

Secondly, as I understand it, the Minister of Local Government indicated that she proposed to bring in one Bill on local government within the next four weeks dealing with what she termed 'rats and mice issues'. If that is so, why was not that legislation mentioned by the Government in His Excellency's speech? Lastly, are there any other proposed items of legislation that the Government has in mind that it has omitted from the address with which His Excellency opened the Council yesterday?

The Hon. C.J. SUMNER: I am surprised that the honourable member, after 19 years in Parliament—

The Hon. C.M. Hill: It's 20 years.

The Hon. C.J. SUMNER: —after 20 years, shows such abysmal ignorance about the content of the Governor's Speech. The Governor's speech was never an exhaustive enumeration—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. Hill: Yes, it did.

The PRESIDENT: Order!

The Hon. C.J. SUMNER: There has never been—

The Hon. C.M. Hill interjecting:

The PRESIDENT: Order! The Hon. Mr Hill will come to order.

The Hon. C.J. SUMNER: It has never been—and the honourable member knows that, as a former Minister—an exhaustive enumeration of the Bills that will be brought before Parliament.

The Hon. C.M. Hill: You know the last paragraph is always—

The Hon. C.J. SUMNER: You know that as well as I do: that major matters are dealt with in the Governor's Speech. There are usually a lot of issues that are not mentioned in the Governor's Speech that come forward as part of the legislative program. The honourable member knows that. The Governor's Speech was shorter than usual because the Parliamentary session will be shorter than usual. We will be proroguing and Parliament will be reopened again in late July or early August when there obviously will be an opportunity for a fuller outline of the parliamentary program.

The Government intends that Parliament should sit for four weeks, as part of this autumn sitting, and then resume at the end of July. I am sure that will give the honourable member sufficient time to engage in those activities that are so necessary for the performance of his parliamentary duty in studying and getting on top of the issues that he will need to address from August onwards. There may be a Local Government Bill—a rats and mice Bill. The fact that it is not mentioned in the Governor's speech is of no significance because, as I said, there are often and inevitably matters that are not mentioned in the Governor's speech that are introduced to Parliament. Indeed, there will be other legislation not mentioned in the Governor's speech that will be introduced, but the major Bills that will be under consideration have been mentioned.

STANDING ORDER No. 14

The Hon. C.J. SUMNER (Attorney-General): I move:

That for this session Standing Order No. 14 be suspended.

It has been usual over the past 10 years to move this motion, which permits business other than the Address in Reply to be dealt with before the conclusion of the Address in Reply. That does not mean that the Address in Reply will not be given its usual priority and be dealt with as quickly as possible in Parliament, but it does enable the introduction of other legislation and consideration of other issues prior to the presentation of the Address in Reply to His Excellency. It is in accordance with the practice that has been instituted here over the past 10 years or so.

Motion carried.

UNIVERSITY OF ADELAIDE COUNCIL

The Hon. C.J. SUMNER (Attorney-General): I move:

That the Council do now elect two members to be members of the Council of the University of Adelaide.

Motion carried.

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

That the Hons. Anne Levy and R.J. Ritson be the members of this Council on the Council of the University of Adelaide.

Motion carried.

FLINDERS UNIVERSITY COUNCIL

The Hon. C.J. SUMNER (Attorney-General): I move:

That the Council do now elect two members to be members of the Council of the Flinders University of South Australia.

Motion carried.

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

That the Hons L.H. Davis and Carolyn Pickles be the members of this Council on the Flinders University Council.

Motion carried.

TRAVEL AGENTS BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to provide for the licensing of travel agents: and for other purposes. Read a first time.

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

That this Bill be now read a second time.

The purpose of this Bill is to provide for a system of licensing and regulation of travel agents. The need for such a system is apparent. The collapse of a travel agency may mean the loss of life savings for some consumers. For others, it may mean the loss of a once-in-a-lifetime holiday.

The Government has been working towards a policy of regulating travel agents for a considerable period. During 1983, South Australia became a member of a working party on travel agent legislation which included other States and the Commonwealth. The proposal which was most attractive to the States was Commonwealth legislation for travel agent licensing backed by Commonwealth legislation for a national compensation fund with complementary State legislation to ensure complete constitutional coverage. Unfortunately, the Commonwealth indicated that it was not prepared to legislate in this manner.

The second proposal incorporated a Commonwealth Act for the compensation of those who suffered loss as a result of dealing with travel agents, combined with 'uniform' State licensing legislation. The first draft of the proposed Commonwealth Act was received early in 1985. Before discussions could be held on the proposals, the Commonwealth announced that it no longer wished to be involved. This withdrawal has seriously delayed the introduction of a regulatory scheme.

As a result of the withdrawal of Commonwealth participation, consumer affairs representatives from New South Wales, Victoria, Western Australia, and South Australia continued work on a uniform scheme of regulation.

This Bill is the result of that work. Similar legislation has already been passed, but not proclaimed, in Western Australia. New South Wales expects to introduce similar legislation during the autumn session of its Parliament, and Victoria expects to introduce similar legislation later this year. The collapse of a travel agent can have repercussions around Australia. The nature of the travel industry is such that its regulation should be as uniform as possible throughout the States.

The provisions of the Bill closely follow the provisions of other recent occupational licensing Acts, such as the Second-Hand Motor Vehicles Act 1983 and the Second-Hand Goods Act 1985.

The administrative structure vests the Commissioner for Consumer Affairs with the general administration of the Act (as is the case with the Consumer Credit Act, the Second-Hand Motor Vehicles Act and other similar legislation). The Bill will control the provision of general travel services, while not restricting the operation of owners of vehicles or accommodation who sell rights to travel on those vehicles, or use that accommodation. Persons will not be able to carry on business as travel agents or hold themselves out as travel agents unless they are licensed.

The penalties which can be imposed for unlicensed trading are severe, but they are in keeping with the penalties imposed under the Western Australian Act and expected to be imposed under the New South Wales and Victorian Acts. The commercial tribunal is given jurisdiction to grant licences to applicants. In order to be licensed, an applicant must be of or over the age of 18 years, must be a fit and proper person, must have made suitable arrangements to fulfil the obligations arising under the Bill, and have sufficient financial resources to carry on business in a proper manner. In the case of a body corporate, every person who is in a position to control or influence substantially the affairs of the body corporate must be a fit and proper person to exercise such control or influence.

It will now be possible to ensure that travel agents maintain sufficient financial resources to enable them to carry on business in a proper manner. Licensing will be continuous. A licensee will continue to be licensed as long as an annual return is lodged and the prescribed fee is paid each year. As well as the penalties which may be imposed for unlicensed trading, an unlicensed travel agent will not be entitled to recover any fee for work performed while carrying on the business, and a court may order the person to pay any fees which have been received. Disciplinary powers are vested in the commercial tribunal and mirror provisions in similar occupational licensing Acts.

Disciplinary action can arise where a person breaches the Act or any other Act or law; has acted negligently, fraudulently or unfairly; has obtained the licence improperly; has insufficient financial resources to carry on business, or has not maintained satisfactory arrangements for the fulfilment of obligations under the Act; or ceases to be a fit and proper person.

If proper cause is found to exist for disciplinary action, the tribunal may reprimand the respondent; impose a fine; suspend or cancel the licence; or disqualify the respondent. Disqualification is the most severe penalty which the commercial tribunal can impose. Where a person is disqualified, the Bill provides that a licensee cannot engage the disqualified person for the purposes of the licensee's business.

The conduct of a travel agent's business is further controlled by specific provisions relating to the display of notices, advertising, and the supervision of the day-to-day conduct of the business by a person with prescribed qualifications, if the licensee is not present to personally supervise the business. Proper accounts must be kept which can be inspected where necessary. One of the conditions of holding the licence is membership in a compensation fund. The compensation fund is set out in the Bill, but the actual mechanism for payment into and out of the fund will be established by a trust deed. It is anticipated that the settlers of the trust deed will be the respective Ministers of the participating States. The Ministers will appoint trustees, who shall include industry and consumer representatives. The trustees will be able to delegate the day-to-day management of the fund to appropriate people.

When an application for compensation is received, the trustees may require further information to substantiate the claim. The trustees will have the discretion to extend the time for making the claim but it is anticipated that a claim will not be accepted if made later than 12 months from the event giving rise to the claim.

Although the compensation fund is to be used primarily to compensate those who have dealt with licensed travel agents, the trustees will have a discretion to compensate, in appropriate cases, those who have dealt with unlicensed persons. On payment of the claim the trustees will be subrogated to the rights of the person to whom payment is made. The trust deed is now being developed. Drafts have been received and are being reviewed by the Department of Public and Consumer Affairs. It is essential to remember, however, that whatever type of trust deed is developed, and whatever type of compensation fund is established, the licensing regime proposed in this Bill can stand alone. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal.

Clause 3 provides for the interpretation of terms used in the measure. Of significance is the definition of 'vehicle', which includes a boat, aircraft or other means of transport.

Clause 4 establishes what is meant by carrying on business as a travel agent. A person so carries on business, if, in the

course of a business, the person sells, or arranges sales, of rights to travel or rights to travel and accommodation. A person does not so carry on business—

(a) by reason of anything done as an employee of another;

(b) by reason of selling or arranging sales of rights to travel in his own vehicle;

(c) by reason of selling or arranging sales of rights to stay at a place owned by him.

A person owns a vehicle or place of accommodation if he has lawful possession of it. 'Sale' in relation to rights includes the conferral or assignment of the rights.

Clause 5 provides that the Commissioner for Consumer Affairs has the responsibility for the administration of the measure subject to the control and direction of the Minister.

Clause 6 provides that it shall be an offence for a person to carry on business as, hold himself out as, or advertise himself as a travel agent unless he holds a licence under the measure. The penalty for the offence is fixed at a maximum of $50 000 or 12 months.

Clause 7 provides for applications for licences. The clause makes provision for any person (including the Commissioner for Consumer Affairs or the Commissioner of Police) to lodge an objection to an application for a licence. Under the clause, the Commercial Tribunal determines applications for such licences having regard to criteria set out in the clause at subclause (9).

Clause 8 provides that a licence continues in force until the licensee dies or, in the case of a body corporate, is dissolved unless the licensee fails to pay the annual licence fee or lodge the annual return or the licence is for any other reason suspended or cancelled.

Clause 9 provides that a licence is subject to a condition that each place of business of the licencee meets the prescribed requirements, any prescribed conditions, and any conditions imposed by the tribunal on granting the licence (which conditions may later be varied, or additional conditions imposed by the tribunal).

Clause 10 prescribes that where a person carries on business as a travel agent in contravention of this Part—

(a) the person is not entitled to recover any fee, commission or other consideration for services performed in the business; and

(b) if the person has received any such fee, commission or consideration, a court convicting the person of an offence for the contravention may on the application of the prosecution, order the repayment of the fee, commission or consideration.

Clause 11 provides that the tribunal may hold an inquiry for the purposes of determining whether proper cause exists for disciplinary action to be taken against a person who has carried on, or been employed or otherwise engaged in, the business of a dealer. An inquiry may not be commenced except upon the complaint of a person (including the Commissioner for Consumer Affairs or the Commissioner of Police). Where, upon an inquiry, the tribunal is satisfied that a person has been guilty of misconduct or a failure of a kind set out in the clause at subclause (10), the tribunal may reprimand the person, impose a fine not exceeding $5 000, suspend or cancel a dealer's licence held by the person, or disqualify the person permanently or for a period, or until further order, from holding a dealer's licence.

Clause 12 provides that where a person who is disqualified from holding a dealer's licence is employed or otherwise engaged in the business of a dealer, the person and the dealer are each to be guilty of an offence and liable to a penalty not exceeding $5 000.

Clause 13 requires the Registrar of the Commercial Tribunal to make an entry on the register established under the Commercial Tribunal Act 1982, recording any disciplinary action taken against a person by the tribunal and to notify the Commissioner for Consumer Affairs and the Commissioner of Police of the name of the person and the disciplinary action taken.

Clause 14 provides that a person carrying on business as a travel agent under a licence shall display in each place of business a notice showing his name and prescribed details. (Penalty: $1 000).

Clause 15 provides that a person shall not carry on business as a travel agent except in his authorized name.

Clause 16 provides that if a licensee is not present to oversee the day to day running of the business, he must employ a person with prescribed qualifications to do so. (Penalty: $1 000).

Clause 17 requires a person who carries on business as a travel agent to keep such accounting records as are necessary correctly to record and explain the financial transactions of the business. (Penalty: $1 000 or 6 months). These records must contain sufficient information for preparation and audit of profit and loss accounts and balance sheets be kept at the persons principal place of business, and be written in English.

Clause 18 provides for approval by the Minister of a trust deed for the purposes of the compensation scheme under the measure.

Clause 19 provides that every licensee shall be a participant in the compensation scheme under the trust deed.

Clause 20 provides for the establishment of a compensation fund to be administered by trustees appointed under the trust deed. Provision is made for payment of moneys into and out of the fund.

Clause 21 provides for payment by licensees of contributions to the fund. Failure to pay a contribution within the time allowed leads to suspension until payment.

Clause 22 provides that persons who suffer loss in consequence of dishonesty or negligence of a person carrying on business as a travel agent, the death, disappearance or insolvency of such a person or the failure by such a person to honour contractual obligations, is entitled to compensation.

Clause 23 provides for the determination by the trustees of claims for compensation. Provision is made for an appeal to the tribunal. Provision is also made for appointment of the find between competing claims in the event that the find is insufficient to meet the claims fully.

Clause 24 sets out the powers of inspection of authorized officers. Authorized officers may inspect travel agent premises, require the production of records required by the measure to be kept and require a person reasonably suspected of knowing about a breach of the measure to answer questions. It is an offence (Penalty: $1 000) to hinder an authorized officer, or to fail to comply with a requirement made by him or to answer truthfully questions put by him. A person is not required to produce records or answer questions if the records or answer would tend to incriminate him.

Clause 25 creates an offence in the case where persons involved in the administration of the measure divulge information obtained in that capacity. (Penalty: $2 000).

Clause 26 allows the Registrar to request the Commissioner or the Commissioner of Police to investigate any matter relevant to the determination of any matter before the tribunal or any matter which might constitute cause for disciplinary action under the measure.

Clause 27 gives the Commissioner of Police a right of appearance before the tribunal.

Clause 28 relates to the annual report by the Commissioner on the administration of the measure.

Clause 29 relates to the service of documents required by this measure or the Commercial Tribunal Act 1982 to be

served. In the case of a licensee such a document is deemed to have been served if it is left at the licensee's address for service. Under subclause (2) a licensee must give notice of his latest address for service in accordance with the regulations.

Clause 30 prohibits the making by any person of a false or misleading statement when furnishing information required under this measure.

Clause 31 requires a licensee whose licence is suspended or cancelled, upon direction, to return the licence to the Registrar.

Clause 32 provides that where a body corporate is guilty of an offence under the measure then every member of its governing body is also guilty unless he proves that he could not, through the exercise of reasonable diligence, have prevented the offence.

Clause 33 provides that proceedings for an offence are to be disposed of summarily.

Clause 34 deals with the commencement of prosecutions. Proceedings for offences are not to be commenced by a person other than the Commissioner or an authorized officer except with the Minister's consent.

Clause 35 is the regulation-making power. Among other things, regulations may regulate advertising by travel agents and prescribe a code of practice for licensees.

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

STATUTES AMENDMENT (VICTIMS OF CRIME) BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Criminal Injuries Compensation Act 1978, the Criminal Law Consolidation Act 1935, the Local and District Criminal Courts Act 1926, and the Workers Compensation Act 1971. Read a first time.

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

That this Bill be now read a second time.

On 29 October 1985 I introduced and read for a second time the Statutes Amendment (Victims of Crime) Bill 1985. The Bill lapsed when Parliament was prorogued. I now present the Bill again. The Bill is identical to the one introduced in 1985, with one exception which I will explain later. I will not repeat all I said when introducing the 1985 Bill, rather I would refer honourable members to the Parliamentary Debates of 29 October 1985. Suffice to say that the Bill contains significant and far reaching proposals designed to alleviate the trauma suffered by victims of crime.

In the course of the 1985 second reading explanation I tabled a copy of 17 principles to accord victims of crime rights at a number of stages of the criminal process. I indicated that these principles would be forwarded to all relevant Government departments with instructions to ensure that practices and procedures in departments comply with the principles. This has now been done, that is, the principles have been forwarded to the departments. I cannot indicate whether they have changed their procedures yet.

The one difference between this Bill and that introduced in 1985 is in clause 25, which substitutes a new section 299 of the Criminal Law Consolidation Act 1935. The 1985 version for clause 25 empowered a court to order a convicted person to pay compensation for a victim's injury, loss or damage resulting from the offence regardless of the type of offence. The clause as redrafted provides that no order for compensation shall be made in respect of injury, loss or damage caused by, or arising out of, the use of a motor vehicle, except damage that is treated as having resulted from the motor vehicle being wrongfully removed from the victim's possession.

This redrafted provision is similar to section 35(3) of the UK Powers of Criminal Courts Act 1973. There are two reasons for excluding offences arising out of the use of motor vehicles. Where personal injury is involved victims will not have to bear the loss themselves: they will be covered by compulsory third party insurance. Aside from insurance, the road traffic exception reflects the law as developed by the courts in the United Kingdom. There, in a number of cases, the court of appeal has held that a criminal court should only impose compensation orders in 'clear' cases. It is only in straightforward cases that the criminal courts should order reparation. The issues of contributory negligence, liability and quantum in road traffic accidents would frequently be too complex to be dealt with quickly at the end of a criminal trial.

The operation of new section 299 will be monitored closely to see if the road traffic accident exception can be removed. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal.

Part II amends the Criminal Injuries Compensation Act.

Clause 3 is formal.

Clause 4 amends the long title of the Act to reflect that, in addition to providing compensation for persons who suffer injury as a result of the commission of an offence, the Act now provides compensation for certain persons who suffer financial loss, and the Bill provides compensation for certain persons who suffer grief, as the result of the death of a person arising out of the commission of an offence.

Clause 5 provides that the only court to which applications for compensation under the Act can now be made is a District Criminal Court. (The Act currently provides that, in certain circumstances, application can be made to the court before which an alleged offender has been brought to trial.)

Clause 6 amends section 7 of the principal Act which provides for applications for compensation. The amendment extends the range of applications for compensation to include applications for *solatium* by a spouse and any putative spouse of a person killed by murder or manslaughter, and by the parents of a child killed by such an offence. The measure is similar to that in the Wrongs Act, in respect of wrongful deaths. The Bill provides that where a spouse and putative spouse, or where both parents, apply, any amounts awarded must be aggregated so as not to exceed the monetary limits on orders of $4 200 for spouses and $3 000 for parents. Orders for compensation for injury or grief must be aggregated for the purposes of determining the monetary limits in subclause (8), so that the one claimant cannot be awarded more than $10 000 in total. (An order for compensation for the financial loss of a person who is a dependant is in addition to any other order for compensation of that person made under the Act.) The amendment also extends the time within which an applicant for compensation must serve notice on the parties to the proceedings, from 14 days to 28 days. The amendment also provides that an order for compensation may be made by consent where a party, although served with the application, fails to appear at the hearing of the application. The court will not be empowered to make an order in respect of those hospital or medical expenses which would be covered by insurance if an award under this Act were not made.

Clause 7 provides that the causal connection between the commission of the offence and the injury or death in respect of which compensation is sought need only be proved on the balance of probabilities. The standard of proof of the commission of the offence remains as proof beyond reasonable doubt.

Clause 8 amends section 9 of the principal Act which provides that only one order for compensation may be made in respect of an injury suffered by a victim in consequence of an offence committed by joint offenders or in consequence of joint offences. The amendment extends this provision to orders for compensation made in respect of financial loss or grief.

Clause 9 amends section 9a of the principal Act to provide that the only appeal court for appeals against final orders made under the Act is the Full Court of the Supreme Court.

Clause 10 amends section 11 of the principal Act which provides for the payment by the Attorney-General of orders for compensation made under the Act. The amendment provides that the claimant must lodge a copy of the order with the Attorney-General and that payment must be made within 28 days of the day on which the copy was lodged or if an appeal has been instituted, the day on which the appeal is withdrawn or determined, whichever is the later. The amendment provides that the Attorney-General, in determining whether to decline to make a payment or to reduce a payment under subclause (2), may take into account payments that would be likely to be made to the claimant if he were to exhaust all available remedies.

The amendment also introduces a system whereby the Attorney-General may make interim payments to applicants in necessitous circumstances and *ex gratia* payments to persons where an offender is aquitted, if it appears to the Attorney-General that acquittal, in the case of rape, was on the ground of lack of *mens rea* or in any other case, was on the ground of a lack of *mens rea* because of duress, drunkenness or automatism. The subsection dealing with subrogation is deleted as it is to be incorporated in the next section.

Clause 11 inserts a new section 11a to provide for the right of the Attorney-General to recover moneys paid under the Act. This section replaces section 11 (3) and (4) of the principal Act. The provision dealing with subrogation is amplified to subrogate the Attorney-General to the rights of a claimant as against, for example, an insurer or an employer. The new section provides that the Attorney-General may recover from a claimant an interim payment where no order for compensation is subsequently made, or may recover the excess of an interim payment over an order for compensation for a lesser amount. The Attorney-General may also recover from a claimant who has received a 'double payment', for example, a claimant who receives both an award under this Act and under the Workers Compensation Act, provided that the subsequent award was not reduced because of the payment under this Act. The new section also contains certain procedural provisions to enable enforcement proceedings to be taken to recover payments from offenders. An order under this Act may be registered as a judgment in an appropriate court. This will be an easier system than the summary procedure currently provided.

Clause 12 substitutes section 12 of the principal Act which provides that any moneys recovered by the Attorney-General are to be paid into general revenue. The substituted section provides for the Treasurer to establish a Criminal Injuries Compensation Fund. The fund is to consist of amounts recovered by the Attorney-General under the Act; amounts provided by Parliament for the purposes of the Act; amounts required or authorized to be paid into the fund under any other Act; and a percentage (prescribed by regulation) of all fines paid into General Revenue in each financial year. The fund is to be used exclusively for payments of compensation made under the Act.

Part III amends the Criminal Law Consolidation Act.

Clause 13 is formal.

Clauses 14 to 24 all remove provisions for payment by a person convicted of an offence of compensation or an amount in respect of any damage done as a result of the offence. These amendments are consequential to the general provision for compensation proposed by clause 25.

Clause 25 provides for the repeal of section 299 which is a general provision empowering a court to order a person convicted of a felony to pay compensation for loss of property by a person affected by the offence. The clause replaces this provision with a much wider provision for compensation for any injury, loss or damage resulting from an offence, whether an indictable or summary offence. Under the new provision, a court convicting a person of an offence or adjudging or finding a person guilty of an offence may order the offender to pay compensation for injury, loss or damage resulting from the offence or any offence taken into consideration in determining sentence. The order may be made either on application by the prosecutor, or on the court's own initiative, and instead of, or in addition to, dealing with the offender in any other way. Subclause (3) is intended to ensure that compensation may be ordered although the precise amount of the injury, loss or damage is not established by evidence specifically adduced for that purpose. The subclause provides that compensation may be of such amount as the court considers appropriate having regard to any evidence before it and any representations made by counsel or the offender.

Subclause (4) provides that damage done to property while it is out of a person's possession as a result of an offence is to be treated as resulting from the offence. Injury, loss or damage that is caused by, or arises out of the use of, a motor vehicle, however, is not to be compensable under the provision except in the case of damage that is treated as having resulted from an offence by virtue of subclause (4). The court is, in determining whether to order compensation, or in determining the amount of compensation, to have regard to the offender's means so far as they appear or are known to the court. Where the court considers that the offender should be ordered to pay both a fine and compensation but considers that the offender has insufficient means, the court is to give preference to the making of a compensation order. The provision limits the compensation that may be ordered by a court of summary jurisdiction to an amount not exceeding $10 000. The clause makes it clear that the power conferred by the provision may be exercised notwithstanding that there is some other statutory provision for compensation more specifically related to the offence or proceedings for the offence. Any compensation ordered under the provision is to be taken into account in assessing compensation to be ordered in any other proceedings. Under the clause, an order for compensation is to be enforced in the same way as a fine. The final subclause makes it clear that 'injury' extends to mental injury, pregnancy, shock, fear, grief, distress or embarrassment resulting from the offence.

Clause 26 provides for the insertion of a new section 301 requiring that pre-sentence reports include information about the effect of the offence upon any of the victims of the offence. Under the proposed new section, any written report on the character, antecedents, age, health or mental condition of an offender requested by a court to assist it in determining sentence is to contain particulars of any injury, loss or damage suffered by any person as a result of the offence. The report need not contain particulars already known to the court or not reasonably ascertainable by the person required to prepare it. The provision is not to apply

to a report prepared by a medical practitioner. The provision applies to any offence whether an indictable or summary offence. 'Injury' is to have the same extended meaning as that provided for in the proposed new section 299. The provision is to apply to such court as the provision is declared by proclamation to apply.

Part IV amends the Local and District Criminal Courts Act.

Clause 27 is formal.

Clause 28 inserts a new section that provides for each District Criminal Court to have a Criminal Injuries Compensation Division. The jurisdiction conferred on a District Criminal Court by the Criminal Injuries Compensation Act is vested in this new Division.

Part V amends the Workers Compensation Act.

Clause 29 is formal.

Clause 30 amends the section of the Act that deals with the situation where a worker has a claim for both worker's compensation and for damages from some person other than the employer. The section currently provides that any moneys received by the worker by way of such other damages must be paid to the employer, thus rendering a Criminal Injuries Compensation Act award a 'subsidy' to the employer. The amendment excludes a payment of compensation made under the Criminal Injuries Compensation Act from the operation of this section.

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

CRIMES (CONFISCATION OF PROFITS) BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to provide for the confiscation of profits of crime; to make related amendments to the Controlled Substances Act 1984; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

As it is very similar to the Bill I introduced last year, I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill provides for the confiscation of the profits of crime and is similar to a Bill introduced into the Parliament before the last election. Few people would disagree that in principle no person should profit from crime. It has often been recognized that in sentencing the court should punish to a degree that denies the criminal any profit from his crime. It is rarely delivered. There are several reasons for this. In the first place, the evidence before the court may not demonstrate the extent of the profits realized by the offender.

A second problem is that the sentencing options open to the court are generally restricted to the imposition of a fine or imprisonment. Where the offender has netted large amounts from his crime the maximum fine which a court may impose can fall far short of the profits from the crime. There is a clear need for legislation to deprive criminals (whether organized or unorganized) of their ill-gotten gains, and in so doing to supplement and re-inforce the penalties applicable to criminal conduct. Besides ensuring that crime does not pay, such legislation will act as a deterrent to criminal conduct and undermine the economic base upon which organized crime operates.

Provisions exist in Part IV Division II of the Controlled Substances Act 1984 allowing a court to order forfeiture of certain property when a person has been convicted of a drug offence. The property liable to forfeiture is: any money or real or personal property received by the offender in connection with the commission of an offence; any real or personal property acquired by the offender wholly or partially as a direct or indirect result of the commission of the offence; and any real or personal property of the convicted person used in connection with the commission of the offence.

While the profits from illegal drug dealings are an obvious target for forfeiture, the argument that criminals should lose their profits has equal force no matter what the crime, irrespective of whether the criminal acted alone or in company, or employed substantial planning or organization. However, as a practical matter forfeiture provisions should be limited to 'serious offences'. There is no entirely satisfactory way to define 'serious offences'. The category of indictable offences (including indictable offences that are dealt with summarily) forms an appropriate standing point. There are, however, summary offences to which forfeiture could appropriately extend. Accordingly, clause 2 (1) provides that the provisions of the Bill apply where a person has been convicted of an indictable offence or a summary offence declared by regulation to be a prescribed offence.

While the trigger for the operation of the legislation is generally a conviction, provision is also made in clause 5 to enable the property of those who have died or who have absconded before conviction to be forfeited. The property liable to forfeiture is described in clause 4. The provision is wider than the corresponding provision in the Controlled Substances Act 1984, in that it includes property acquired for the purposes of committing the offence and clause 4(2) caters for the situation where the offender's assets have increased but no particular property can be identified as being liable to forfeiture.

It should be noted that the civil standard of proof applies to questions of fact in forfeiture proceedings. So that an offender is prevented from dissipating his assets prior to a conviction, clauses 6 and 7 provide for pre-trial restraints in the form of sequestration orders and seizure of assets. The pre-trial restraint provisions apply prior to the institution of criminal proceedings. However they only apply where investigations have been undertaken and a charge for an offence is soon to be laid.

The efficacy of this legislation will largely be defeated if criminals can secrete their assets in other States or countries. The Commonwealth, all States and the Northern Territory are considering introduction of similar legislation. Accordingly, provision is made for the forfeiture of assets in South Australia which would be liable to forfeiture under the corresponding law of another State or Territory.

The Federal Government has announced its intention of negotiating bilateral Treaties for Mutual Assistance in Criminal Matters. These treaties will require the parties to grant to each other mutual assistance in criminal matters, including the identification and recovery of profits of crime. This Bill is an important measure in combating crime, both organized and unorganized, and is further evidence of the Government's intention to fight crime.

One further clause of the Bill to which I wish to draw members' attention is clause 10. This provides that proceeds from the confiscation of profit of crime will generally be paid into the Criminal Injuries Compensation Fund created under the Criminal Injuries Compensation Act. The proceeds of this are to be used to compensate victims of crime under the Criminal Injuries Compensation Act. An exception is made in relation to profits derived from the manufacture or sale of drugs, where the proceeds are to be applied to assist in the treatment and rehabilitation of people

addicted to drugs. These provisions will ensure that the profits of crime are used to assist victims of crime.

Finally, in response to the second reading contribution of the Hon. K.T. Griffin when this Bill was last before the Parliament, the Government has made some alteration to clause 6 of the Bill to provide that a sequestration order will not lapse on a withdrawing of the relevant charge if another charge is subsequently laid.

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 contains the various definitions required for the purposes of the measure. By reason of the definition of 'appropriate court', applications will be able to be made under the Act to the Supreme Court, a District Court where the relevant property does not exceed $100 000 in value and a court of summary jurisdiction constituted of a magistrate where the relevant property does not exceed $10 000 in value. The Act will apply in relation to 'prescribed offences', which are to be indictable offences or summary offences declared by regulation to be prescribed offences. Under clause 2 (3), a person shall for the purposes of the Act be deemed to have been convicted of an offence if the person is found guilty of an offence but discharged without conviction or if the offence is taken into account in determining the penalty for some other offence.

Clause 4 specifies the property that is liable to forfeiture under the Act. Property that will be liable to forfeiture includes property acquired for the purpose of committing a prescribed offence or used in connection with the commission of a prescribed offence, property that is the proceeds of a prescribed offence and property that is acquired with the proceeds of a prescribed offence. Where there is an accretion to a person's property but identification of specific property is not possible, the whole of the person's property will be liable to forfeiture (but only to the extent of the value of the accretion).

Clause 5 provides for the making of forfeiture orders. Applications will be made by the Attorney-General. Orders will not be able to be made against the property of a person who is innocent of any complicity in the commission of the offence. Interested parties will be entitled to receive notice of applications and to be heard.

Clause 6 provides for the making of sequestration orders. A sequestration order may provide for the management or control of property that is liable to forfeiture under the Act.

Clause 7 relates to the issuing of search warrants. Applications for warrants may be made by telephone in cases of urgency.

Clause 8 specifies the powers of a member of the police force who is executing a search warrant. The police officer may seize and remove property reasonably suspected to be liable to forfeiture under the Act. Property cannot be held for more than 14 days unless an order is made under the Act or the owner consents to the property being retained for a longer period.

Clause 9 creates an offence of hindering a member of the police force, or a person assisting a member of the police force, in the execution of a search warrant.

Clause 10 provides that the proceeds of forfeitures be paid into the Criminal Injuries Compensation Fund or used to assist in the treatment or rehabilitation of persons who are dependent on drugs.

Clause 11 provides that offences against the Act are summary offences.

Clause 12 is a regulation making provision.

Clause 13 provides for consequential amendments to the Controlled Substances Act 1984, as contained in the schedule.

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

JUSTICES ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Justices Act, 1921. Read a first time.

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

That this Bill be now read a second time.

This Bill is entirely consequential upon the Summary Offences Act Amendment Bill (No. 3) 1986, which I will shortly introduce. It seeks to amend section 27a (3)*(b)*(i) of the Justices Act 1921, pursuant to which a summons may be served by post on a defendant provided that it is posted not more than three months after the day on which the alleged offence was committed. That period will become four months.

Because the time to pay an expiation fee is being extended to 60 days, from 28 days, it is considered prudent, for the sake of administrative efficiency, that the period allowable for the postage of summonses should be commensurately increased. Under the current police procedures, no follow up inquiries are conducted on traffic infringement notices until after the expiration of 35 days after the issue of the notice. This 35-day period allows for the statutory time-to-pay period and an additional seven days to compensate for delays in postage and administration. After the 35-day period, the unexpiated notices are subjected to an adjudication process to determine the sufficiency of evidence prior to a complaint being laid.

If the three month time limit is not extended when the time to pay a traffic infringement notice is increased to 60 days, it will mean that each summons not posted within the three months allowed will be required to be served by hand. An indication of how many summonses may be involved can be gained from an examination of the annual report of the Commissioner of Police for the year ended 30 June 1984. This reveals a total of 12 662 prosecutions resulted from non-expiation of traffic infringement notices. Current trends indicate that a similar number is expected this year. Of those, it is not possible to determine how many would require follow up inquiries and would need to be served by hand. If section 27a (3) *(b)* (i) is amended to extend the time limit to four months the status quo will be maintained.

I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal.

Clause 3 amends section 27a (3) *(b)* (i) of the Act to enable service by post to take place not more than four months after the day on which the offence to which the summons relates is alleged to have occurred.

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

ADDRESS IN REPLY

The Hon. C.J. SUMNER (Attorney-General): brought up the following report of the Committee appointed to prepare the draft Address in Reply to His Excellency the Governor's speech:

1. We, the members of the Legislative Council, thank Your Excellency for the speech with which you have been pleased to open Parliament.
2. We assure Your Excellency that we will give our best attention to all matters placed before us.
3. We earnestly join in Your Excellency's prayer for the divine blessing on the proceedings of the session.

The PRESIDENT: During this debate a number of new members will be addressing the Council for the first time. I am sure that I do not need to remind members of the normal courtesies to be extended to new members in this situation.

The Hon. CAROLYN PICKLES: I move:

That the Address in Reply as read be adopted.

I feel very honoured to have the opportunity to move this motion today, and in doing so I would like to mention those honourable members who have retired from this Chamber: first, Arthur Whyte who entered Parliament in 1966 and served as President from 1978 to 1985; Renfrey DeGaris, whose long parliamentary career covered the years 1962 to 1985; Lance Milne who was in this Chamber for six years; and Labor's Cecil Creedon who first entered in 1973. I wish them all well in retirement.

I would also like to mention one other ex-member of this Chamber, who has moved into the House of Assembly to represent the people of Whyalla, the Hon. Frank Blevins, Minister of Labour. The day the Hon. Frank Blevins entered this place was the beginning of a more representative Upper House, a House which now more closely reflects the population of this State. It is no longer a place for the privileged few in our society, and no single person has been more closely identified with the working class of South Australia than the Hon. Frank Blevins, so it is fitting that he now has the most important portfolio of Minister of Labour, a portfolio wherein he can continue to pursue the philosophies and ideologies on the principles of socialism which he enunciated in his maiden speech. For those members who have forgotten or who were not in this place then I will quote a small pertinent section of that speech, as follows:

I do not believe that any person has the right to exploit the labour of any other human being. To me, the making of profit through exploitation is immoral and, although I make no claim to be a Christian myself, I am sure the misery and poverty the capitalist system brings to the people of the world also makes it unchristian. The sooner capitalism is relegated to the history books the better mankind will be.

Despite some comments made in the chamber yesterday, I am sure that the Hon. Frank Blevins would not resile from those statements.

I am one of the five new members in this Chamber following the recent election and the appointment of the Hon. Frank Blevins replacement yesterday, the Hon. George Weatherill, and I congratulate them all. As the only new woman member in this place, I would like to take this opportunity of congratulating the first woman President of this House—the Hon. Anne Levy. She is also the first woman to preside in any Parliament in Australia. As a woman, I believe this election to high office is long overdue and I can think of no other woman in the Parliament who is, or ever has been, more suitably qualified for this position.

The Hon. Anne Levy has had a long and distinguished career, first as an academic, and then as a politician. The honourable member has been an inspiration to many women, both in the Labor Party and in the wider arena of the women's movement. I am sure we all congratulate her and look forward to yet another distinguished role for her to perform.

Ms President, I would also like to take this opportunity of congratulating new members to the House of Assembly, particularly the new woman member, Di Gayler. The election of the member for Hayward to the position of Whip is also a first in this Parliament.

We have many fine women in the Australian Labor Party, and it is indeed gratifying to see that their efforts are being recognised by the Party and by the community at large. Election of women to Parliament has not been an easy path to follow. This applies to all political Parties. While some lip service has been paid to supporting women into these positions, it has not been often enough, nor has it been quick enough. The ALP has recognised that, if we as a Party are to continue to gain the support of the whole electorate (and this includes the 51 per cent of women who make up our population), we will have to put more women into positions of authority. I believe we are showing a strong commitment to this.

The Labor Party put up a record number of women candidates at the last State election, three of whom were returned to Parliament—the Hon. Barbara Wiese, Labor's first woman Minister; June Appleby, member for Hayward; and Susan Lenehan, member for Mawson, whose record swing of 5.8 per cent fully justifies the faith put in her by the Party. There are two new women members, Di Gayler, member for Newland, and myself. Those women who did not quite achieve electoral success are as important to the cause of women as those who did. The significant campaign waged by all our other candidates has contributed to my election to this place, and for that I sincerely thank them.

I was particularly disappointed not to welcome Ann Pengelly, the current President of our Party, who stood for the seat of Hanson. The Opposition members in the other House will have been let off the hook this time.

We have come a long way since 1959 when two women were standing for the seat of Central No. 2, under the old system of election to the Upper House—Margaret Scott for the ALP and Jessie Cooper for the Liberals—when a challenge came before the Full Court for the right of women to sit in the Legislative Council. The Crown claimed that women could be elected. A four-day legal battle ensued. Many distinguished legal people were involved in that battle, one a Mr D.A. Dunstan who, in tracing the constitutional history of South Australia to 1856, contended that there was no disqualification 'of women, gaolbirds, or of lunatics'. It is interesting to note that women were tagged together with other minorities even in those days, albeit gaolbirds and lunatics!

During further debate in the case one other distinguished legal person, in referring to common law, spoke of the clause saying, 'no woman, nor dead body, nor inanimate object shall hold public office', so we have indeed come a long way in 26 years, but we still have a lot further to go. I can assure all members in this place that women politicians will never be confused with 'dead bodies or inanimate objects'.

It is pleasing also for me to note that the opposition has recognised the status of women and has chosen the Hon. Diana Laidlaw for the shadow Ministry. I congratulate her and look forward to her support on Labor's legislation for equality and anti-discrimination in all areas in the future.

During this session of Parliament we will be addressing ourselves to a most vital piece of anti-discrimination legislation—the Workers Rehabilitation and Compensation Bill—and I do not wish to refer to this in detail at this time except to say that many, many months have been spent on the drafting of the Bill to ensure that the views of interested sections of the community have been considered. Of those groups who have participated in discussions on this legislation none has done so more prominently or constructively than the trade union movement.

There has been criticism of the trade union movement in past years, none more vocal than at the present time. Sectional interest groups, I believe, are not interested in a country which is being run constructively and efficiently with liaison between unions, business and Governments. These groups want to see a return to the confrontationist politics which we have experienced with ultra-conservative

Governments and would seek to undermine and erode the strength of the trade union movement.

Trade unions were formed to unite workers so they would be more effectively able to fight against exploitation on the job and seek to improve their wages and working conditions. Today we see trade unions uniting with Government to continue this struggle. However, long and bitter experience has shown that if trade unions only restrict themselves to fighting for improved wages and conditions they would not be carrying out their role of advancing the interests of working people, nor for that matter, all people.

To be able to protect and advance these basic interests, trade unions have had to be active and vigilant on all matters affecting workers. This has meant participating at the political level and addressing themselves to so-called political questions. Many of the things enjoyed by workers today were gained by political action. In their struggles for improved standards it soon became clear to unionists that economic action against individual employers or groups of employers was not enough to win general economic improvemments. It is only necessary to refer to the existing Workers Compensation Act, annual leave Acts, long service leave Acts, occupational health and safety, child care, etc., to illustrate the importance of mass political action for the achievement of basic economic demands.

Unions also campaign for better social services, medical care, pensions, currently on superannuation, and many environmental issues. This political action also includes support for the ideals of disarmament and world peace. So the criticism directed by the conservatives against the trade unions is totally unjustified. They are a vital part of the plan for a better life and future for young Australians.

I would like to refer to that group of people who are the most important in our society—the young. They are our tomorrow. Their future will be our old age. We have a duty to ensure that they have equality of access to education, health services, housing and a share in a piece of the cake. It is of particular significance to me that I was elected to the South Australian Parliament towards the end of the International Year of Youth, which had as its themes peace, participation and development. I have a deep concern for and commitment to the future of our young people in this state and I wish to indicate today that the issues affecting the lives, hopes and well-being of our most valuable resource—tomorrow's citizens—will be foremost in my contribution in this Chamber.

My own generation, through the years of unrest, has led us to ask questions and articulate our concerns, but the current generation feels disillusioned and powerless in the face of an uncertain future. The world youth population has increased by some 86 per cent since 1950. World-wide youth unemployment has also increased dramatically. By the end of 1981, youth unemployment in the 24 countries of the OECD stood at 7 000 000, compared to 1 000 000 some 10 years before.

In South Australia, youth unemployment stands at 20 per cent, which shows a significant improvement over the last three years due to the policies of the Bannon Labor Government and the success of the youth employment schemes introduced in its last term, but it is still unacceptably high. So much more must be done. Unemployment affects young people at every level of education and training and in all social strata, although the worst effects are felt particularly by those already disadvantaged in our community.

Unemployment has a destabilising effect on the initiative and confidence of youth and therefore on the social and political fabric of our society. Unfulfilled expectations and frustrations can lead to social dislocation and drug abuse. The tackling of this serious social issue must focus on responsible awareness and prevention. But, above all, we must ensure that our education systems, our training institutions and our economy prepare young people adequately for active participation as an aware, concerned and progressive society of the future. We must govern now with a vision for the future that provides hope to young South Australians. We must continue education training and employment opportunities and develop skills for young people in order that they may participate fully in all aspects of community life.

Within the youth population there are several subgroups which should be considered as particularly less advantaged. Women all over the world are oppressed by economic conditions and also by traditional and social structures. Any cuts in public services and educational programs through privatisation or other means will particularly affect the young female first of all. Economic, social and political conditions disadvantage women and migrants, and aboriginal young people are especially affected and often alienated through lack of appropriate education and the related social and physical difficulties that foster frustration, isolation and despair.

The development of our economy to provide jobs and the promotion of equity in our community are essential for the fulfilment of the aspirations and rights of our young people. At a time when new ways to achieve economic and social development are looked for, attention to the problems faced by the young must be a priority for this Government and this Parliament. I believe that it is necessary to look at every aspect of achieving the aim of elimination of poverty and unemployment and I would like to flag here my interest in seeing the establishment of a South Australian equivalent of the Economic Planning Advisory Council (EPAC) together with an industrial information resource unit to provide assistance and information on matters associated with economic planning. I intend to commence discussions with appropriate Ministers, trade unions and the community on this matter.

Technology also has a role to play in the reshaping of our economy. As the *Technology Strategy for South Australia* puts it:

> The rate of technological change is now greater than at any time of history except perhaps northern Europe between 1780 and 1830.

This statement suggests to me that it is imperative that the South Australian Government sets in place policies and programs aimed to guide the use of new technologies in such a way that social and economic benefits are maximised and disadvantages minimised.

A feature of the Government's technology strategy is the emphasis it places on the use of technology to improve the quality of life generally rather than pushing technology for short term profits. One example of the Government's attitude is the application of new technology to the needs of the elderly in our society. Computer techniques can be used to enable ageing persons to live independently longer by providing them with security, means of shopping from home, and remote control of appliances, etc. Such systems could be developed with the means at our disposal and could assist in the reduction of the aged population in nursing homes, thus providing a higher quality of life for some elderly citizens and at the same time reducing expenditure on nursing care.

If we consider past technological discoveries such as the harnessing of electric energy, the telephone and the internal combustion engine, we realise how these have transformed society, providing individual freedom, access to information, comfort, safety, and so on—things we take for granted. The list of technological achievements which have enabled us to live safely and comfortably in large, complex urban

environments is almost endless. Now, we are participating in a new wave of technological developments at the heart of which is the micro-chip.

These new developments give promise of increased efficiency in manufacture and commerce, in the production of food and in the winning of natural resources, thus generating wealth which, properly distributed, will lead to growth in the service sector of the economy, more jobs and economic recovery. As we use machines increasingly to do our work for us, there will be a liberation from dirty, dangerous and mundane jobs. This liberation will come through the retaining of people in the new technologies and through education, as well as from reductions in working hours and increased leisure.

But all our promises, all our demands for a brighter future for our young, and economic security for our aging population are wasted if we are not to address ourselves to that vital issue of peace. There have, in recent years, been soul searching debates within the ALP and within this Chamber on questions of whether or not to mine uranium. The people of South Australia have decided that issue, as is their democratic right, but feel powerless to control the escalating madness of weapons proliferation. There is a sense of desperation and futility among people of all nations and especially among the young. Many of us in middle and old age feel this same desperation.

I was born during the war, one of the new generation, a child of the nuclear age. Small wonder people of my generation share the horrors of today's youth for war. I would like to share with you some thoughts of children on peace. I think that the young are very perceptive in their comments on peace and on war. I cite the following examples:

Lori, aged 11: 'Peace is something to cherish. But you must be careful with it. If you don't, pretty soon there won't be anyone to make peace with.'

A child, aged 8: 'Peace is people talking together with a heart in between them.'

Alisa, aged 8: 'Peace is not fighting because the world may die.'

We have in recent weeks seen a concerted attack on the teaching of peace studies in our schools. As a Government member I consider that such subjects are vital—better to be taught about conflict and the resolution of that conflict in a classroom than to learn, as my generation did, from the experiences of the second world war, the Korean war, war in Vietnam, and all the other conflicts which have occurred and are still occurring in all parts of the world.

Reactionary responses to the proposed curriculum on peace studies is indeed frightening. Studies on issues relating to peace have been taught in South Australian schools since 1985. Due to the International Year of Peace in 1986, added emphasis has been given to this subject. The recent debate has seen all sorts of groups coming out of the woodwork and I wonder where they have been all the years that children have been taught about war and aggression in our schools. Indeed, I can vividly recall chanting a litany of dates of various wars during my own history lessons.

The Education Department has conducted an ongoing program of seminars, conferences and staff workshops on peace studies and I have faith in our teachers that they will treat such a subject fairly and reasonably. A State Government has the responsibility to participate in the debate on disarmament and the people of this State must share in these discussions. I see the International Year of Peace as the opportunity to focus on this issue.

The State Government has committed itself to supporting the International Year of Peace very strongly. On 19 July 1984 Premier John Bannon wrote to the Prime Minister:

The promotion of peace and disarmament is supported by the South Australian Government, and this State will be happy to participate with the Commonwealth Government in the initiatives proposed for the International Year of Peace.

I view State Government participation as vital and will do all I can to promote and pursue the issue.

I would like to record here my appreciation for the support I have received in gaining this election to Parliament, particularly to the 391 076 South Australians who voted for Labor's team in the election. Thanks to my many friends who have encouraged me over the years, to the Labor Party for its endorsement, to my friends in the trade union movement for their continued support and finally to my mother, who cannot be here today through illness, to my children and family and to my husband, John. They say that behind every good man there is a good woman: well, I can honestly say the reverse is also true.

I can assure the people of South Australia that I will work diligently to provide them with a better life but I believe that in their hands lies the power to ensure that better life. Governments are leaders and leadership is inseparable from responsibility, and responsibility is inseparable from power. If power is disseminated more widely, leadership will have to be more widely shared too.

Many thousands of years ago Lao-Tzu, the chinese philosopher, had this to say about leadership:

As for the best leaders, the people do not notice their existence.
The next best the people honour and praise.
The next the people fear, and the next the people hate.
But when the best leaders' work is done the people say 'we did it ourselves'.

The Hon. T.G. ROBERTS: In seconding the adoption of the Address in Reply to His Excellency's Speech, I would like to acknowledge the responsibility placed upon me by my election to Parliament, and thank my colleagues, my family, and the people of South Australia for their support. I would like to congratulate you, Ms President, on your election to the Chair.

I would also like to thank those people, both inside and outside Parliament, who transformed the electoral system to allow me to stand before you today with the dignity and knowledge of having been popularly elected by full adult franchise, and not because I have wealth, power and influence among king makers in the community.

Rapid social change in the 60s and 70s allowed for a sweeping away of many undemocratic practices, both within Parliament itself, and in the community at large. Social attitudes altered to accept openly a realistic expression of many social activities which had been legislatively ignored, but which were popularly supported in the community.

Legislation slowly captured the mood of the changed community attitudes to social questions. We saw a saner acceptance of alcohol use in the community reflected in a more relaxed attitude to licensing laws. Hotels, restaurants, clubs, etc., were allowed to reflect the community demands in services provided and in opening hours, attitudes to gambling changed from back room off-course SP operations to open TAB centres, and now a casino.

Attitudes to homosexuality altered from widespread intimidation and exploitation of individuals, to at least tolerance, and at best an understanding. In the 70s we saw the debate on the use of marijuana open up. The debate on the legalising of prostitution commenced and is still going today. Changes to the education system to meet the requirements of individuals going into the work force placed different demands on skills required to harness the new technological revolution.

Attitudes changed in the work place and community to allow women to participate on an equal footing, if they so chose. We saw the introduction of affirmative action in many areas, including my own political Party. Child care and social welfare support were not only being debated, but acted upon, the main debate not being 'if', but 'when' and

'what amount of resource' to allocate to support these reforms.

Physically and mentally disabled people were encouraged to determine policies that affected their individual and collective development. Aborigines started the long haul back from the results of paternalistic patronisation and shame, and were encouraged to redevelop their spiritual and cultural links with their land, and were able to feel pride in being aboriginal.

Migrants, rather than hiding their cultural heritage, were encouraged to express it and feel proud of their historical origins and their language, adding to our cultural formation. Industrial relations became a battleground as unions fought for a more equitable share of the results of their labour, demanding that it be expressed in better wages and conditions. Health safety, and workers democracy plans started to be formulated, but were put on the back-burner by some conservative employers, unions and politicians.

Legislation started to capture the growing awareness and enlightenment that prevailed during this period of rapid change, and I hope that now, as we move into the 80s and 90s, members on both sides of the Council recognise that we have to assist in preparing Australians, and particularly South Australians, to equip themselves for the challenge ahead.

Both at a federal and State level, Labor Governments have been given a mandate to come to terms with this period of rapid social and technological change to make sure that living standards of all Australians are protected and improved while providing trade surpluses that can be sold to world markets to provide food, shelter and consumer goods to our trading partners, particularly those in developing countries.

They want to see work places democratised to allow employees the right to determine, through consultation, issues like: access to information; health and safety; the introduction of new technology; the training and retraining of new and existing workers; the accommodating of older workers; work rosters and hours; work program and layout; employee level; conditions of work; company profits and investment programs; security of employment; child care; trade union based training, and an adequate workers compensation and rehabilitation cover.

Many employers are already engaged in work-based union approved schemes which are altering the whole structure of decision-making at all levels. Debate that started in the 70s is now becoming a practical reality. Employers to survive economically realised that they had to change industrial decision-making processes, and their decision-making practices. BHP management, not noted for its progressive stand on industrial relations, is seeking union support for its stand against activities in the market place.

If employers are prepared to allow democratic participation at these levels in a meaningful way, not only would they benefit through having a more educated work force but the State and the nation as a whole will benefit. The community also wants to see aged people participating in activities that improve their self-image, while assisting communities and young people to develop. Aged people themselves want more control over their lives when faced with authoritarian management systems that have developed in some retirement centres and nursing homes, and those that choose to stay home need both family and community support via local councils and health centres to achieve this aim.

The rapid advancement of the technological age will bring many new problems before us, many of them relating to diminishing democratic rights in industry, commerce and leisure. Let us hope that the benefits of the productive application of technology can be best used on behalf of and for the advancement of communities as a whole rather than diminishing the opportunities for a more equitable share of goods and services produced.

This brings me to the most disadvantaged sections of our community—youth and the unemployed. Young and unemployed people are now bearing the brunt of disastrous industrial policies that have prevailed over the past 30 years, and it is only now that some formulas are being drawn up to alleviate this massive problem. The Federal Government has introduced a total increase in the education budget of 9.4 per cent plus Priority 1 costing $15.7 million, while the South Australian State Government has introduced the YES scheme at a cost of $23 million. These and other initiatives in job creation need to be followed up to avert a major social disaster.

If we can revitalise our manufacturing sector to enable young people to enter the work force, with the current education standards and computer skills, then their futures will be assured. If the manufacturing sector is allowed to sink without a whimper, to allow the Pacific rim strategy of trans nationals to develop, then with falling commodity and agriculture prices, all Australians can look forward to a very bleak future. The challenge to members on both sides of the Council and the community is to resist the divisive, simplistic formulas being provided by the new right, who seem to be only interested in promoting divisions within the community to promote their *laissez faire* approach to economic production and distribution, which would require an authoritarian political and legal system to enforce it.

The same energy and drive shown in the 70s and 80s to social legislation needs now to be applied to revitalise our manufacturing industries and maintain our primary industries to eliminate the poverty referred to in Mike Rann's speech in another place yesterday. The new right of the political spectrum outside of the conservative parliamentary structure, represented by their roving gurus, Catherine West and Hugh Morgan, are promoting divisions in rural areas based on false premises.

The new right is saying that if Government charges, taxes, and levies etc., are removed from primary producers, thereby lowering production costs to allow increased productivity, then automatically farm incomes will rise, saying nothing about access to markets and market prices. The problems of over-production, access to markets, and international trade blocks created by our friends in the United States and Europe have had a marked effect on our traditional customers wanting to buy our primary products and at what price they are prepared to pay. Huge subsidies by both European Common Market countries and U.S.A. to farm producers place us in a disadvantaged position. If price was the only consideration it would be bad enough, but it is not. Other political considerations come into play that further disadvantage Australia's access to markets.

While it is true to say that high interest rates and overheads are having an effect on farmers and small business, the effect does not carry for all sections of agriculture. Some sections are still going quite well. The new right appeals to struggling farmers and small business people, many of whom are looking for an identifiable scapegoat to vent their understandable frustration. That scapegoat again is the trade unions. The incomes of small business people in rural and metropolitan areas are also being affected by the regionalised shopping centres, the building of huge hyper and supermarkets, which sell all types of items bought in large volumes at much lower wholesale prices than a single store owner can buy.

The solutions to those problems were not addressed by Catherine West in her articles and ramblings. Other problems, like changing investment patterns, centralised retailing and commerce, mergers and takeovers in the commercial

and industrial sectors all have an affect, but were not mentioned by her. In a recent attack by her on unions and Labor Governments in the *Australian*, 8 February, the solution she advocated was a coalition of the vocal right. Sir Joh Bjelke Petersen (the new Minister for the elimination of crocodiles), John Leard, and Professor Geoffrey Blainey were all said to be able to lead us into the promised land. I would hope the absurdly ridiculous solutions drawn from a difficult situation would not be acceptable to the majority of analytical minds that turn over many of the challenges we face.

It is in this climate that we make our choice for the future: a stronger commitment to the prices and incomes accord to ensure a stable political climate that allows Australian and South Australian primary and secondary industry to be revitalised with jobs to be created, and poverty eliminated, or a climate of division and confrontation, based on the new right approach, by people who have the intellectual ability to draw more positive conclusions from their selective analysis, but choose, for political reasons, the politics of division and confrontation.

I believe that the responsibility placed upon us in this period of rapid technological and social change is to further democratise our decision-making process in the workplace, in local government and communities; and to allow maximum employee and community participation at all levels, not just those with a selfish vested interest; that the State and federal initiatives in developing tax structures are a fair reflection of people's ability to pay and that revenue collected be distributed in a constructive way.

In 1886, 100 years ago (not quite as long ago as the Hon. Caroline Pickle's philosophical statement), His Excellency the Governor, Sir William Cleaver, Knight Commander of the most distinguished Order of Saint Michael and Saint George, made reference in his Opening Speech, during a period of major economic down-turn, falling commodity and agricultural prices, prompted him to say that, with courage, energy, economy and judicious legislation, we will bring about more prosperous circumstances. He, being a much more distinguished person than myself, couched in terms suitable for the day, outlined the formula for a solution which keeps historically rolling around in our society, which moves through its cyclical crises, leaving governments to cure the illness and the vulnerable in our community to bear the pain.

The Hon. M.B. CAMERON (Leader of the Opposition): The place has been so quiet that I began to wonder whether I was back in the Council or whether there had been a complete demolition of everyone. I congratulate the two members who have just spoken and who expressed their views on matters as they see them. I well understand the feeling that one has when one stands in the Council for the first time and delivers a maiden speech. I sometimes wonder whether that situation does not become worse the longer one stays in this place.

The Hon. C.J. Sumner: That's certainly the case with you.

The Hon. M.B. CAMERON: That may well be the case.

An honourable member: You made two maiden speeches, didn't you?

The Hon. M.B. CAMERON: Yes, I made two maiden speeches.

The Hon. C.J. Sumner interjecting:

The Hon. M.B. CAMERON: In that case, I have probably made three. I am sure that I will not receive the same treatment from members opposite—nor do I expect it. I intend to canvass a number of health issues during my speech. No doubt members opposite have noticed that I have been appointed shadow Minister of Health. First, I will give some initial impressions and then outline my approach to this task. Obviously, I have seen the *modus operandi* of a previous shadow Minister of Health—the present Minister who ferreted out problems, brought them into the Council, magnified them and created further problems.

The Minister of Health frequently tells us that health is a large portfolio involving thousands of participants and millions of dollars (it is always millions of dollars and percentages of millions of dollars that he talks about from time to time). Frequently, health issues are very complex and emotive. Unlike the Minister, I do not claim to be an expert; and unlike the Minister I recognise that a little knowledge is a dangerous thing. Yesterday the Minister of Health, on my first question in this shadow portfolio, sought to question my capacity to handle the health portfolio because I claimed that I did not understand the technical issues involved. The Minister indicated that I had a rather serious problem because I did not know what a category 3 cot was at the Queen Victoria Hospital. If the Minister thinks that that is the level of expertise that one needs in order to carry out this portfolio, he has a problem. The Minister must have had one heck of a problem when he first became Minister.

I readily acknowledge that I am not a scientist; and I am neither a doctor nor a vet. However, I believe that being new to the health arena can be a strength and not a weakness. I will always be prepared to listen and learn. I will acknowledge my shortcomings and will take the advice of others in an effort to compensate for them. This is different from the Minister's approach. My underlying concern in health will always be people. I will not be obsessed with attempting to show how clever I am which, again, is a problem of the Minister.

In all that I do the question that I will ask myself will be, 'How are people affected?', not, 'How will my ego be affected?'. The strength of a Minister is not whether he knows science but whether he knows people and relates to their needs. One does not need to know all the answers; but one does need to know the questions to ask the experts to get the right answers. One needs to know when one is being fed a line. One also needs to know how to deal with people because, perhaps more than any other, health is a people portfolio. It is in grasping this reality that the Minister and the Government, through the Minister, fails.

Naturally, in this Chamber one forms one's own opinions about one's colleagues and one's opponents. The Minister of Health has always shown himself to be utterly contemptuous of any honest questioning by the Opposition about his activities. No member opposite can deny that. The Minister invariably responds to questioning with personal abuse and unrestrained arrogance. I am certain that the Leader of the Government in this Council has often been embarrassed by his colleague when he stands on his feet and refers to members opposite as 'Legh the flea', 'Rob the blob', and I think mine was 'the parrot'. Goodness me, I have never known such a man! That attitude is quite different from that displayed by any other Ministers whose performance I have observed during my many years in Parliament.

Members interjecting:

The Hon. M.B. CAMERON: I or any other member. We have had some rather flighty members in here, but we have never had a member who has displayed such vindictiveness, arrogance and contempt for fellow members of Parliament. I have found that I am not alone in this view of the Minister. In the short time that I have taken an even greater interest in health I have been surprised at the extent of ill feeling that exists towards the Minister of Health, and little wonder I suppose given some of the Minister's notorious performances of the past three years. All of us would recall

Port Augusta hospital, and Port Pirie and the marvellous confrontation with Mayor Bill Jones, which I would have thought was unsurpassed on South Australian television.

We recall the poor doctor at the Adelaide Children's Hospital who stood there, amazed, to be told off, while the Minister arrived flanked by his Mafia plus television cameras—an incredible scene. Then we have the Minister's dispatching of insults at Estimates Committees; and the Minister, as I have said, childishly calling some of my colleagues puerile names when they had highlighted how he had misled Parliament by falsely replying to questions about the ANOP poll. We learn now that—to use a familiar phrase, Mr Acting President—he is 'at it again'. He has attacked yet another health professional for being honest and open about the health system. I will say something about a summary report in a minute, now that the Minister is back in.

Last Wednesday at 2.30 p.m. the Minister of Health arranged what he called yesterday an 'historic meeting' with chairmen of hospital boards and hospital administrators. It was historic, all right! That meeting was the subject of an *Advertiser* newspaper report last Saturday. That report, headed 'Dr Cornwall applies a tourniquet', outlined the proceedings of the meeting.

Additionally, I have received reports about the proceedings of the meeting. What I have received is disturbing but, given the past performance of the Minister, not totally surprising. I note that yesterday in a paragraph of his statement on the Lyell McEwin Hospital the Minister referred to the meeting, and today he has handed me a summary report of the meeting. I am perfectly happy to receive this, but what I want is the opportunity now to go to participants in that meeting and ask them about the meeting: ask Dr Richenda Webb, for a start. I have not been to her yet, but I would like the opportunity of going and speaking to her.

An honourable member: The Minister would not mind that.

The Hon. M.B. CAMERON: No, he would not mind that notion. Let me read page 4 of the summary, and this will give honourable members some idea of how the meeting went. It reads:

> The Minister said that statements to the media should not be made to all and sundry. He stressed—

and I ask honourable members to listen to these words—

> that he had no wish to inhibit public comment or informed public discussion.

He is the greatest inhibitor of all time, if ever I have seen one. The summary continues:

> It was important, however, that the integrity and accuracy of any information disseminated be checked; for consistency, it was desirable for the Chairman of the board to make major statements or to be informed about statements to be issued. When there are public statements made or about to be issued, then as a courtesy other interested parties (that is, the Minister's office and the Commission) should be notified.

Really, what was said was that there will be no statements made and there will be disciplinary action taken—the sort of action that has already been taken. I challenge the Minister to allow me total access to any person at that meeting, so that I can discuss what was said at the meeting, and in particular what was said about certain individuals.

I am advised that at the meeting the Minister said a number of things: some of these I will deal with shortly. First, I would like to refer to the Minister's and the Chairman of the Health Commission's unwarranted public and private attacks on a health professional.

The Hon. L.H. Davis: He said you can go to the next meeting.

The Hon. M.B. CAMERON: No—I do not want to go to the next meeting: I want to go and talk to people about the last one. That person is Dr Richenda Webb, the Medical Director of the Royal Adelaide Hospital. In January the *Advertiser* carried an article on page 2 headed 'Surgery wait now two years—AMA'. The article quoted Dr David Gill, the State President of the AMA, and Dr Webb. Both doctors indicated waiting lists are growing. Dr Webb made a number of statements of fact. The next day, however, the Chairman of the Health Commission launched a tirade against both Dr Webb and Dr Gill.

He accused—and this was the surprising thing to me—Dr Webb of exploiting the issue for political purposes. What on earth that meant, I have no idea, because I certainly do not know Dr Webb, nor does anybody else within our organisation. He criticised both doctors for off-the-cuff claims, of being misleading and of plucking figures out of the air. Madam President, I wish to make it clear that I do not know, nor have I met or spoken to—

The ACTING PRESIDENT (Hon. C.M. Hill): A point of order has been taken.

The Hon. J.R. CORNWALL: The honourable member is reflecting on the Chair: he is calling you Madam Acting President.

The Hon. M.B. CAMERON: I wish to make it clear that I do not know nor have I met or communicated with Dr Webb. However, health professionals have indicated that she is a very calm, very competent and very professional health officer who is not—in contrast to what the Minister said—'prone to emotional or misleading statements'.

The Hon. J.R. Cornwall: Are you attacking the Chairman of the Health Commission?

The ACTING PRESIDENT: Order! Perhaps we could have fewer interjections.

The Hon. M.B. CAMERON: They say that the waiting lists are growing. One doctor has indicated to me in a communication that his waiting list has grown from 10 to 200 in the last two years. I understand also that at one institution the waiting list for prostrate operations has grown from one year to two years. The Minister laughs!

The Hon. J.R. Cornwall: You don't even know how to spell it. It is 'prostate'. It has not got an 'r' in it.

The Hon. M.B. CAMERON: You are very clever! This is what I was saying earlier: he sits there and he just loves indicating some lack of knowledge. That is his attitude towards his portfolio: he likes to belittle. He does not listen to what is being said. If he listened to some of the health professionals instead of sitting there with an arrogant attitude of thinking that he knows everything, that he knows better than his health professionals, he might get on a lot better. That list has grown from one year to two years, and the Minister laughs about that. I hope that he does not one day have that problem; that he does not have to sit there worrying about whether he is going to last out the sitting before he has to rush out. Despite what the professionals say, Dr Cornwall and Professor Andrews—and I say 'Professor Andrews' because he is being used as a spokesman often by the Minister—are attempting, in my opinion, to cover up the situation. They started in December a waiting list inquiry—just before Christmas they started it up. Let us look at the situation in Victoria, where waiting lists have doubled. We have not heard about that here, and you cannot tell me that it is not happening.

Let me refer in more detail to the article in the 8 January edition of the *Advertiser*, and I quote:

> The Medical Director of the Royal Adelaide Hospital (Dr R. Webb) said delays for hip implants and some forms of eye surgery exceeded 12 months. The waiting lists at all hospitals have been growing for the past two or three years. Although a shortage of nurses had contributed to the problem, the increase was mainly due to greater community reliance on the public hospital system and a static health budget.

The Hon. L.H. Davis: She would know, wouldn't she?

The Hon. M.B. CAMERON: One would think she would know. Certainly, if she has that opinion, one would hope that we would not have that sort of discussion inhibited. The article continues:

Since the change to Medicare two years ago, fewer people were looking to the private sector for elective surgery. They think they can get everything done through the public health system, which is true, but it will take time. The more people who look to the public health system, the longer it will take. The areas in which the Royal Adelaide Hospital has the biggest problems are in ear, nose and throat surgery, eye surgery, orthopaedics and plastic surgery. The problems of the aged were marked in the areas of orthopaedic and eye surgery. They need to have their joints replaced because they wear out. They need to have their cataracts removed, so they can maintain as much mobility and independence as possible as they get older.

We are talking about some very uncomfortable, inconvenient, limiting problems, and if you need a joint replacement you are probably in quite a bit of pain, and that can make you pretty miserable. Plastic surgery such as that performed by the craniofacial unit was another area in which operation delays were increasing, Dr Webb said.

Only through increased funding for the public hospital system could the waiting list be reduced. Dr Gill agreed there had been a blowing out in the number of patients seeking public beds in hospitals until the waiting time for some neurology operations at Modbury was up to two years. The people hardest hit were those for whom the public health scheme had been intended, such as the aged and people on low incomes.

What are you indicating, Mr Minister? Are you indicating some sort of problem you have got?

The Hon. J.R. Cornwall: No, I am very well.

The Hon. M.B. CAMERON: The Flinders Medical Centre and Queen Elizabeth Hospital also reported waits of up to 12 months for some types of elective surgery.

The Chairman and the Chief Executive of the South Australian Health Commission, Professor G. Andrews, said, however, that there was no evidence of any dramatic increase in waiting lists for elective surgery. I will be interested to watch and see what happens in that area. He said that there will always be some degree of fluctuation in waiting times. Interestingly, the Minister of Health must now be getting cold feet about the reliability of some of the advice he is getting because in last evening's *News* he is quoted as saying:

When I asked last year for information about waiting lists at individual hospitals, I was amazed it took weeks to answer—and I am still not sure about the integrity of the figures I have been given.

He has been Minister for three years, so why on earth—

The Hon. L.H. Davis: We've been asking him questions about it for three years.

The Hon. M.B. CAMERON: Yes, and those specific questions have been asked in the past 12 months or two years. Dr Cornwall and Professor Andrews would have us believe that all elective surgery, which is that appearing on waiting lists, is non-urgent and cosmetic. It would be quite wrong to say that elective surgery is a luxury and not pressing, important or urgent. For Dr Cornwall to tell those on a waiting list that their complaints are not important is just not acceptable because those people know how urgent it is. It is a tragedy that, given the resources and relative wealth of our society when compared with many others, many people cannot obtain what is to them basic health care.

Many people who are awaiting elective surgery are, in fact, waiting for pain relieving surgery, because elective surgery includes (as Dr Webber said) total hip replacement, tonsillectomies for children and surgery that is of such importance to a family or any individual that enormous difficulty, indignity and personal tragedy will arise if it is delayed. If one speaks to people who have been told that it is necessary to wait 18 months for hip replacement or to parents who have been told they must wait six months before their children can have their tonsils removed, one gets some idea of the misery that is part and parcel of this situation.

I am told by responsible health professionals that the closure of routine lists for surgery over the Christmas period has heightened the delay faced by many. I understand, also, that at the Flinders Medical Centre each doctor is limited to booking four outpatients for surgery. Consequently, surgery is, in fact, being rationed, if that is the case.

Yesterday, I referred to the establishment of a new Media Liaison Unit within the Health Commission and the appointment of a new and expensive Media Liaison Manager. My reason for referring to this new arrangement was to highlight the conflicting priorities of the Minister of Health. It is image and information control which appear to be of more importance to him than the health and wellbeing of South Australians in need.

Dr Cornwall, in his reply to me, attempted to dismiss my claims by referring to a 'Health Information Officer' on a low salary and added that an additional officer had been taken on board. Perhaps he is not aware of what correspondence is coming out of his department. Perhaps he does not have the knowledge he has always led us to believe he has. In January, Christobel Chapel, who I gather is the officer involved, circulated on Health Commission letterhead and under the title 'Manager, Media Liaison Unit', the following:

I have recently joined the South Australian Health Commission—

so there are two people now—

as Manager of its newly created Media Liaison Unit.

She goes on to explain how she will have a healthy, helpful working relationship with the people she is contacting and says that she is able to put them in contact with all sorts of people who can provide the persons concerned with information.

It appears to me that what the Minister is aiming to do is ensure that all information comes through him and his office. That is what he wants, because the moment anybody says anything outside of his office they are jumped on like a ton of bricks by either the Chairman or the Minister. He has what one would almost call a Goebbels type approach to the dissemination of information about the health system.

An honourable member interjecting:

The Hon. M.B. CAMERON: A Goebbels type approach—you know who he was! The direction is to 'bring it all in here and divide it up.' If it is good the Minister takes it. If it is bad some poor health professional is told, 'You will do this.' There is no way that reporters in this town will go to the hospitals or to any person within the hospital system because the Minister does not know about it—the Minister has not been informed, the Minister has not culled it.

The Hon. L.H. Davis: He would look good in uniform.

The Hon. M.B. CAMERON: I think he might. The Attorney-General in 1982 made great play of the need for freedom of information and right of the public to know, yet we see the Minister taking greater and greater control of the information coming out of the health system within this State. I return to the matter of last Wednesday's meeting with health officials, Chairmen of hospital boards and hospital administrators.

I am informed that one of the purposes of this meeting was (and it is clearly shown in this document that the Minister has given me) to further tighten the Minister's grip on the dissemination of information within the health system. That is exactly what it says.

The Hon. J.R. Cornwall: To make it more accurate.

The Hon. M.B. CAMERON: Why can the Minister not leave it to the public to decide whether it is accurate or not? Why does it have to go through his little hands in

order to decide whether it is accurate or not? Why does the Minister not just let the health system make up its own mind?

The Hon. J.R. Cornwall: I am responsible for the taxpayers' money.

The Hon. M.B. CAMERON: The Minister is irresponsible with taxpayers' money; that is one of his problems. What he needs to do is settle back and realise that he does not have the control of his portfolio that he thinks he does, and that he does not have the sort of expertise he thinks he has. Just because he has been a vet does not mean he is an expert. The Minister thinks that because he knows a few scientific terms he knows all about medicine. He thinks that he can stand in front of health professionals and tell them what they are to do or say—bring the material to him and he will decide, along with a few people around him, whether it is accurate. That is just not on: it is completely scandalous.

The Hon. J.R. CORNWALL: I rise on a point of order. The question of accuracy simply devolves about the fact that people have said—

The Hon. L.H. Davis: Get to the point of order!

The Hon. J.R. CORNWALL: I am coming to it under Standing Order 392. The fact is that I do not believe that it is appropriate for people in the health system to talk about funding cuts when there has in fact been an additional $10 million a year put into hospital budgets over the past three years.

The Hon. M.B. Cameron: That's not a point of order.

The Hon. J.R. Cornwall: Of course it is not a point of order, but it is on the record now.

The Hon. M.B. CAMERON: Perhaps the Minister should stand up every five minutes and give an explanation. He might show people even more his lack of knowledge and control of his portfolio. The Minister made quite clear at this meeting that anybody disclosing anything publicly without going through the new propaganda machine that he is setting up would be disciplined. If the information given out was not accurate—'You are in trouble.' The situation with Dr Richinda Webb clearly shows this. This means that regardless of the competence of the health professional, and regardless of what the health professional is saying, he or she will be subject to the full might of the Minister's wrath if the information has not been passed through the sieve set up by the Minister.

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

The Hon. M.B. CAMERON: You have already shown your behaviour pattern when you went to the Childrens Hospital. We know exactly how the Minister operates when a person says something in public that he does not agree with. The Minister marches in flanked by television cameras and harasses people. We are not too impressed by the Minister. That is clearly suppression of information. An example of what will happen to those who go outside the system has already been clearly demonstrated, as I indicated, when Dr Webb at the Royal Adelaide Hospital truthfully answered questions put to her about waiting lists at that hospital.

Do not go marching off to Dr Webb and accuse her of leaking information to me or talking to me because I have never talked to that person. Leave her alone, at least, because I have no doubt that it is in the back of the Minister's mind that 'We will fix her.' I am advised that, at the meeting last Wednesday, the Minister of Health, who was previously on holidays, decided to pick up where the Chairman of the Health Commission left off in relation to Dr Webb and attacked her in a way which witnesses tell me would be libellous if Dr Webb wished to take the matter further.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: The Minister can please himself whether he thinks it was or not. Let me talk to Dr Webb and to other people who were there. Give me permission to talk to them. The Minister threatened those present with appropriate action should information leak out. I can assure the Minister that the application of the tourniquet, as Mr Hailstone from the *Advertiser* describes it, will backfire on him.

The Hon. J.R. Cornwall: Barry got it pretty wrong.

The Hon. M.B. CAMERON: 'Barry got it pretty wrong'! Mr Hailstone is wrong again. Well, we will see what he has to say. In his unrelenting desire to control what the public learns about the Health Commission, the Minister of Health will built up such pressure and resentment from the health professionals whose opinions and assessments should rightfully be public knowledge that he will cause an enormous backlash. Let me assure the Minister that that is already occurring. If he thinks that everybody in the health system loves him he is certainly right out of touch because I tell you, Mr Minister, that you have a real problem coming. I am advised that Dr Cornwall also indicated at the meeting that autonomy, which has in the past been an important element of our health system, is no longer a word in his vocabulary.

The Hon. J.R. Cornwall: It never has been.

The Hon. M.B. CAMERON: The Minister said it in front of those people. It is clear that when he amends the Health Commission Act, as he has indicated, he will attempt to give himself even greater control over what the public knows about the health system.

The Hon. J.R. Cornwall: Don't be so silly.

The Hon. M.B. CAMERON: That is one of the Minister's problems: he does not listen; he should start listening. There is a growing tendency by the Minister to spread all the good news, as I have said, and allow Health Commission officers to dutifully respond to the task of disseminating all the bad news, but only according to instructions.

We now see Dr Cameron taking about legionnaires disease and we see today Professor Andrews trying to justify the Health Commission's inadequate support for neonatal care. As I indicated, it seems very clear to me that the Minister of Health has a Goebbels-like desire to manipulate the media. The moment anything occurs he tries to grab hold of it, restrain it and not allow the public to know. Yesterday I referred to the staffing and costs of the central office of the Health Commission. The Minister, with his typical bravado, said I was behind the times and that the problems highlighted by the Auditor-General had all been resolved. Isn't that marvellous! The Minister has got hold of this Auditor-General's report, which he knocked when it first came out, but has now resolved it.

The Alexander Review of the Health Commission Management in 1983 made the following comment about the corporate office of the Health Commission, and I quote from page 30 of that report:

> The size of the corporate office and the extent of services it provides appear to be excessive now that the sectors are well established. There are some 200 staff in the various divisions of the corporate office. The role of the office is to provide services and support to the executive, the sectors and in some cases health units directly. In addition, the office is responsible for most liaison and negotiation with funding agencies.
>
> The review team was unable to closely examine the staffing levels of the corporate office but gained the impression that there was scope for reduction.

'Scope for reduction' were the words. The report continues:

> In some cases this could involve transfers to the sectors or health units but in other cases net reductions appear possible. The corporate office should seek to be staffed at a minimum, with as much of the commission's resources devoted to health care delivery as possible.

In 1982, 287 were employed in central offices, essentially in administration. In 1985, according to the Auditor-General, this figure had risen to 296. So, despite the attention

to the situation of what would appear to be an excessive bureaucracy, the Health Commission has continued to increase while waiting lists grow, nurse shortages remain and Medicare begins to falter.

I believe that the Minister has not really grasped the nettle referred to by the Auditor-General. The Auditor-General made clear that the central office was a problem in the Health Commission. If the Minister believes that after a fortnight a group of people for whom I have a lot of respect (particularly the person in charge, whom I know) can go through that office and make an asessment of the needs of the office, then he just does not understand the problem that he is handling and he will have a continuing problem with that area. Yesterday, also the Minister—

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: No, just a short burst because he asked for all sorts of things from the Hon. Mr Lucas and myself yesterday. Members will recall that last year the Lyell McEwin Hospital became an issue in this place and it was the subject of a long debate. A number of issues were raised that were referred to the Auditor-General. I thought that was a very proper course of action to take in the final analysis. However, the Minister has had a report from the Auditor-General, as I understand it, for some time. What he has attempted to do during the past month or two is to hawk it around the media trying to get them to take up the issue.

The Hon. J.R. Cornwall: I was in Batemans Bay for a fortnight.

The Hon. M.B. CAMERON: Is the Minister denying that he or a member of his staff did not raise this with any reporter in this town? Of course, they did; the Minister knows that is the case. I was asked questions about it. Do not try to tell me that nothing happened. How do they know the detail that is now here? But, they only knew the good detail, that was the interesting part. They only knew the part that suited the Minister. They were never given the full report, although that might have happened in one case. Let me read a part of the report to which the Minister did not really refer:

> Notwithstanding the commission's prompt action on receipt of the private auditor's report, it is a matter of concern that misreporting of the financial position of the Lyell McEwin Hospital went undetected for so long. The problem could have been identified by the central office of the commission:

This is the body that has been running health in this State. The Minister has been standing up and saying it is an absolutely marvellous body, and that since he has been Minister it has been a wonderful organisation.

The Hon. L.H. Davis: Best in the world.

The Hon. M.B. CAMERON: Best in the world—certainly the best in Australia, very compentent. The document continues:

> By June 1983, if a simple comparison of monthly expenditure returns from the Lyell McEwin Hospital had been made it would have shown the equivalent of a substantial increase in the registered nursing staff of the hospital for the months of April, May and June of 1983. The commission has a statutory responsibility to ensure that health centres and health services established, maintained or operated by or with the assistance of the commission are operated in an efficient and economical manner. Effective monitoring procedures are an essential prerequisite in the discharge of that responsibility.
>
> The allegation that, because of the provision of two returns for June 1983, the commission was party to, or condoning the circumstances at Lyell McEwin Hospital is understandable, especially as:
>
> - there was no clear written procedures showing that this was normal commission procedure;
> - the commission did not convey this normal procedure specifically to the private external auditors of the various hospitals;
> - monthly returns being headed 'actual expenditures'.

Those three items would have led anyone, including myself, to the belief that the commission was part of the practice. There was also incompetence and that has been clearly identified by the Auditor-General. The document further reads:

> It was noted that some health units and commission officers have unreal expectations on audit for assurance of financial integrity and control. It is emphasised that the prime responsibility for good financial management and control rests with management.

It is important that, when a matter of concern like this arises in the community, the community is told about it and that the proper procedures are put into place and the community is told that that is happening. Suppression of information will never work.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: It will get out, but it will get out in the wrong form. It would be far better for the Minister to make a statement and tell the public exactly what is happening. It is all very well for the Minister to say now that he was trying to protect the public so they would not panic. What does he think we are—a banana republic? Does he think we cannot handle such information, that we are not a civilised society, that we cannot be told what is happening? What utter nonsense! The Minister is showing again his contempt for the community by not allowing that to happen. The Minister has much to learn in the area of providing public information, and that is something that over the years he might learn.

There are still a number of concerns about legionnaires disease that I have. I indicated one of them privately to the Minister, and I want to follow that up with him. I do not wish to alarm the public or to start the scare tactics that the Minister obviously expected. However, if the Minister has answers to my questions—and to one question in particular—I would be happy to have them, because it is important.

The Minister has given an excellent summary (provided, I imagine, by Dr Cameron) of the problem of legionnaires disease. I also have much information and I want to know overall whether the fact that certain water supplies in public institutions are not kept clean is part of the problem. I am advised that there are ways of keeping such water clean in air-conditioning plants and, if that is the case, the Minister should tell the public and the institutions about it. I support the motion.

The Hon. M.J. ELLIOTT: I support the motion to adopt the Address in Reply to the speech of His Excellency the Governor, although I must express serious misgivings about the emphasis of that speech. I thank the Hon. Ian Gilfillan for the tutoring and encouragement that he has given to me over the last month in preparation for my role in this Parliament, the Australian Democrats for their support and efforts in my election, the South Australian public for voting for me and, most importantly, my wife, without whose tolerance and help it would not have been possible for it all to occur.

I offer my congratulations to the new members in this Council and to those who have been returned, and I congratulate you, Ms President, on your elevation to your current position.

My political beliefs have developed from a largely unthinking conservatism as a youth. My politics was based upon the conservatism of the daily newspapers and also influenced by hardworking, honest, caring parents. I arrived at university during the days of the Vietnam moratoriums and hated the 'commos' (that is what we did then). I was conscripted and willing to go. I had a deferment due to study and then Gough cancelled the war.

I developed an interest in environmental issues and found that all was not as it should be. The corporate sector and

government had and still have much to answer for. It was an obvious step to now question other things that I had taken for granted. My politics is not left or right; to be such leaves the trap of falling into bigotry. It is the politics of open mindedness.

We of the Democrats will agree with Liberal and Labor at different times. Many would then say we are the 'Party of the middle'. That will often be true but also often false. We are a Party that is even handed between capital and labour. We support free enterprise but see the important role of the Public Service and Government enterprises.

It is at this point that I take issue with the emphasis of the Governor's speech and stress why the Democrats are different from Labor and Liberal. The Governor's speech began talking about growth and prosperity and talked of little else. I am not anti growth and anti prosperity but there was an almost total failure to consider quality of life, unless of course it is assumed that it and prosperity go hand in hand, which they do not necessarily do. Family breakdowns, drug and alcohol abuse, for example, are as much the province of the wealthy as the poor. Certainly, poverty creates social problems but the increasing prosperity of the State does not guarantee any decrease of poverty; in fact, the reverse has been true. The total wealth of the community has never been greater, yet in the last seven years the number of people in poverty has increased by 50 per cent.

At the last election opinion polls showed that the major Parties were failing. With only three days to go, opinion polls said 18 per cent of the people were undecided. Was it that both Parties were so good or was it that they were so bad that the voters could not decide? I believe that the Parties were both on basically the same economic trip: they were not perhaps offering other things that people were hoping to hear.

Growth for growth's sake is the mentality of a cancer cell, but that is what appears to be occuring in South Australia, which has a dose of project mania. Roxby Downs is an excellent example of aberrant growth. Leaving aside the arguments on uranium (which the Labor Party is very good at doing, but which the Democrats will not), there are other reasons for having serious misgivings.

Roxby Downs is capital intensive, as is all mining industry, but once the construction phase has passed, it will be a small employer: $1 million for every job. It has and will take enormous sums out of the Australian economy that might have generated more jobs in other places. The Government itself will be spending large sums on infrastructure: $13 million, I believe, and will get little return as royalties.

The Democrats warned of this some years ago before the project was embarked upon. I am afraid it is an election stunt gone wrong. What will the Government do if, in future, Western Mining Corporation says that we must mine uranium or the mine will not be economic, especially if the only buyer we can find is country X, which is a country to which we would rather not sell uranium? Do we close the mine? Will we throw 1 000 people out of work at that point? Once we have it, we are stuck with it.

We now have the Jubilee Point project proposal. Any scheme that incorporates 'project' and the wonderful word 'jubilee' seems to be almost guaranteed of success with the Government. I certainly hope not. I believe it could prove to be one of the great environmental disasters of our time.

The submarine project and Technology Park, on the other hand, I see as being superb examples of the sorts of growth that we should be pursuing.

The current trend of the Government is towards deregulation and the free market as a means of achieving growth and prosperity. Unfortunately, instead, what we are seeing is a widening gap between the haves and the have-nots, and an increasing number of the latter. It is one thing to remove red tape, which is an unnecessary burden, but it is quite another to move towards total deregulation. Today's free market arguments are little different from those of the discredited social Darwinists of the late nineteenth century.

Survival of the fittest in a biological sense infers death of the unfit; in an economic sense it means ruin and poverty for many. I will address two areas to illustrate the failures of the so-called free market. As to petrol retailing, which I mentioned earlier, in Adelaide we have witnessed wild fluctuations in petrol prices while in the country areas prices have remained unnecessarily high. The free marketeers say, 'This is terrific. The consumer is getting a good deal.' Approximately 50 per cent of Adelaide's petrol is selling below wholesale price.

I am absolutely certain that petrol is not being given away, that there are profits being made and that the subsidy is coming from the country to the city and not the other way. The reality of the situation is that the wholesale price could and should be lower and that the consumer would still gain. I believe that the market leader in South Australia is selling 60 per cent of its output through only about 20 stations—13 of which are operated by its own commission agents. If honourable members want to know where the price war is starting, they should realise that it is certainly not with the independent dealers: it is starting with the oil companies, and I believe that they have their own motivations. What those motivations are is a good guess but I believe that the Government might be about to assist them.

Rationalisation will assist the oil companies—not the petrol retailers. Bringing in card machines, where one does not have any employees at all at petrol stations, will aid oil companies and a few large independents: it will not be of any gain to anyone else. I believe that that is the way we are going. It has already happened in Europe and America, except in a few States that have stood up to this trend. While the price war has gone on, many of the lease holders and independent retailers have been powerless. As the retail price plunges below the wholesale price they have to depend on the generosity of the oil companies to give rebates. While 5c a litre may be considered a fair margin, they must drop to uneconomic levels of 2c a litre or less; otherwise their turnover drops and they cannot sell their businesses.

Why do not the retailers publicly complain? They risk losing their rebates and will be out of business immediately. They are trapped, and many are being destroyed. Free enterprise has many forms. As it is now, the financially weaker suffer through no lack of business acumen or hard work.

I am also familiar with the wine grape industry, which has similar problems. There are three major wholesalers in the wine business in South Australia. They are able to dictate the price of wine to winemakers. Wines which once sold for $9 a bottle are now selling for $2.55. One might say, 'Terrific—the consumer has gained again'.

The winemakers are now largely owned by multinationals and by a few of the larger Australian companies. While they are not capable of resisting the wholesalers' pressures, they can pass the problem down to the grapegrower by giving an unsatisfactory price for grapes.

The grower faces escalating costs for power, water and fuel. Narrowing margins are making a large number of growers unviable—they have no position to negotiate from, because there is a surplus of grapes. Much of the surplus has been generated because the wineries are growing increasing quantities of grapes. Previous Governments gave water licences to these companies to do just that.

In fact, only today I received a call from a grower in Waikerie who had sold his grapes to a Mildura winery for the minimum price of $175 a tonne. The winery is charging him $25 a tonne for freight, but he did not complain—he did not dare.

The wineries are also major importers of wines. 'Let the free market take its course,' we say and then shrug our shoulders: we cannot have uneconomic growers staying on the land. We must ask why they are uneconomic. I believe that they are the innocent victims of Government neglect.

This brings me to the farming community generally. Many of its problems are federal, in particular interest rates and tra le policy. However, the State Government can still have an impact on costs such as fuel, transport and power. Importantly, it should be looking at greater expenditure on research. There are many alternative crops which could be looked at.

I think that one area which needs immediate attention is probably the marginal wheatlands where overcapitalised farmers are in great difficulty. There are alternative crops, if the Government would only spend the money to develop them. As a result of decreasing prices for agricultural goods in real terms, the size of farming units is becoming ever larger; they are employing less labour and are highly capitalised.

The high capitalisation makes the farms even more susceptible to failure in poor seasons, any drop in prices or failure in overseas markets. I believe that the community has an unreasonable expectation for agricultural products to become ever cheaper. I further believe that the Government should address itself to the causes of declining prices. I suspect that a great deal of the problem is the presence of what amounts to buying monopolies.

I turn now to the grapevine pull. We have had experience in the Riverland of a canning fruit pull. There are some growers who are now kicking themselves because there is a shortage of canning fruit. They would have been in an excellent position now if they had not pulled out their trees. I believe that the Government is making a mistake at the moment. I have written to the Minister trying to point out where I believe the Government has gone wrong. This is not only my opinion; it is also the opinion of a large number of growers in the Riverland. To become involved in the current grape pull, growers must apply by the end of April. At the moment growers are engaged in the harvest and probably will be until that time. I fail to see how growers can give the necessary consideration to decide whether or not to pull out their grapevines. There is a real risk that the old and uneconomic vines will stay in and some of the younger vines, which would have been productive if it were not for hasty decisions, will come out. That is exactly what happened during the canning fruit pull.

I suggest that the Government should consider extending the pull over two or three years. In the meantime, I suggest that we encourage the Australian Bureau of Statistics to collect data on the age and number of horticultural crops that are grown and to then make a projection on production. I also suggest that the Australian Bureau of Agricultural Economics should be contacted so that, as best it can, it can project demand for crops. It is only with this sort of data that one can make a sensible decision. Unfortunately, the ABS figures are as much as 18 months and more behind. I have owned a fruit block for two years. It was completely neglected and I then planted it up. I have not been contacted to find out what is in the ground. That is how good the bureau's data must be!

All of this must happen quickly. The Department of Agriculture must be active and give advice and not rely on the gut reactions of growers.

What will happen only too often is that a grower will look at his neighbour doing well with apricots and will then plant apricots, too. So, there may be an apricot tree pull in five years time, if we are not careful.

The Government should seriously consider alternatives. While I have said that we should not regard all small blocks as being uneconomic, it is true that some are. The Government could consider buying people off their blocks. It is costing $4 000 a hectare for the vine pull. If that were supplemented with another $2 000, that could be sufficient for some growers to happily walk off their blocks. Some growers, even with the assistance of the vine pull, will be in a great deal of difficulty because they must still pay for their water and other expenses. If the Government purchased the land and consolidated these blocks, it could sell them as economic units.

There is also another possibility which should be seriously considered. The land could be purchased and then returned to its natural state and the water would then become part of the State water bank. I will address the problem of water a little later.

I am also concerned because I believe that a large number of growers in both the Clare Valley and the Barossa Valley are considering pulling out their wine grapevines. I wonder what that will do to the tourist industry, because we brag so much about the Barossa and Clare. What will happen if we lose many of the wine grape vines and only a couple of wineries remain? That is a real risk at this time.

In 1982, Adelaide received 96 per cent of its water from the Murray River. Members may recall that the mouth of the Murray blocked up and the river stopped flowing. No-one really liked to contemplate what would have happened if the drought had continued for another six months. In fact, Adelaide would have been economically ruined. We were lucky—it rained. I have seen no evidence of any action that has been taken to preclude that sort of thing from ever happening again. That demands immediate attention. Decentralisation is another issue that I will pursue very strongly, and not simply from the country perspective; I will pursue it in the interests of the metropolitan dweller as well.

A recent report indicated that rural areas of Australia were growing faster in population and economically than metropolitan areas. The notable exception was South Australia. The reason is quite obvious. Past and present Governments have not treated decentralisation seriously. New South Wales and Queensland have Ministers for decentralisation.

I believe that people living in the city will have many benefits from this. As the city continues to grow we must look at the needs associated with increasingly complex and increasingly expensive transport systems which the whole State must pay for. We are seeing high-rise car parks and other things which must be paid for because we are concentrating on the central business district of a single city. Of course, I believe that we are also seeing the decline of the city environment generally.

At the moment the country is suffering from unemployment of between 14 per cent and 20 per cent. If it were not for the large number of people who come to live in the city, that would be much worse.

I believe that we should be offering industry incentives for decentralisation, tax exemptions for limited periods, cheap industrial land and reimbursement of transport costs for key employees. I believe that we should set up more regional development councils similar to the Riverland Development Council, which was an excellent initiative of the State Government. I believe that the State Government should coordinate the activities of these councils and provide the funding that they do not have to ensure that they work. The Housing Trust has been carrying out decentralisation by itself.

I have seen the Renmark High School grow from 500 students to 700 students in three years. The main reason for the growth of Renmark was the Housing Trust suburb. As a result, many benefits have accrued to the town: the growth in the school itself meant that with more teachers more diverse educational opportunities could be offered. However, I fear for the future of the town of Renmark. In

10 years from now the children of those families will have left school. There are no jobs for them there—in fact, no more jobs than were there before.

There have been no increases in the sort of welfare facilities that are needed in the town. The Housing Trust has done it all by itself—decentralisation of people. There is no decentralisation of facilities (at least, not at the rate the Housing Trust has been shifting people) and no decentralisation, in particular, of jobs, and that must also occur.

As a teacher, I will be taking a particular interest in education. Teachers have a tough life, and you seem to be nobody's friend in that profession. The great majority of teachers are honest, and hard working and are getting knocks that they do not deserve. I believe that the main problems we have in our schools today are a reflection not on the schools but on our society and, in particular, the abrogation of parental responsibility in many cases.

Too often, I think, that when we look for things that are wrong in society we are looking at the wrong place to blame. It is easy to blame schools. I do not believe the problem starts there; it starts in society itself. I believe that Government, while it already has a significant education bill, must upgrade it immensely. The retention rates in our schools are not comparable with any other advanced society. The South East Asian societies (Singapore is an example) make us look ridiculous by comparison, with the encouragement they give for students to stay on at school, and the encouragement that they give to technology in particular.

Our State Government is starting to put a little money into computer education, but I am afraid it is peanuts in comparison with what really needs to be done.

Education is not just the three Rs: we are educating people for a full role in our society, and in a democratic society it is important that we give them education in many fields. Peace education is not the least of these fields.

Unfortunately, so many people now see peace education as being just anti-war, but peace education is anti-conflict, relating to person to person relationships within our society. For so many reasons, peace education should be taught. The youth of today are more worried about their future than probably any other generation; and they are worried by not just the possibility of unemployment, nuclear war and the destruction of our society.

As our society continues its materialistic thrust, we are all the losers, but I believe that children suffer the greatest. As families break down, there is one particular area into which I believe the Government should put greater effort, and that is youth housing. I believe that the Housing Trust should incorporate a special advisory unit on youth housing policy, as suggested by the youth housing network.

A greater range of accommodation styles needs to be made available, from board and lodging to housing cooperatives, through to flats. They key word must be 'flexibility', taking the needs of young people into account rather than imposing decisions from above. Proper research of these needs must be undertaken, and urgent action should follow.

I will conclude by looking at this Chamber and its members. I was told that this was a well behaved place, but perhaps today was just a bad example. I feel that interjections are necessary at times: in fact, I think they are a valid part of this Chamber's workings, but I believe that much of what I have heard today has been totally unnecessary.

The Legislative Council has the role of a house of review. This role is, unfortunately, impeded by two major factors: staff and facilities are plainly inadequate for members to thoroughly carry out a review of legislation, as they should be doing. I do not see how we can function as a house of review when we do not have those facilities to help us. Nevertheless, I give the assurance that the Democrats will review all legislation to the best of our ability.

The other problem is Party discipline, which denies members the right to vote as they believe is correct. There is talk of the Democrats having the balance of power: it is not a power that we have for any reason other than that the other Parties so strictly follow Party lines. If that were not the case, no individual member would have more power than any other.

I wonder how many members have arrived full of idealism and had it crushed—first by their Parties and secondly by the seduction of their position.

One is at risk of feeling important: one only talks to important people. One receives a comfortable salary, and there is a risk of losing contact with real people and their problems. I hope that by the end of my term people do not believe that that has happened to me.

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

ADJOURNMENT

At 5.25 p.m. the Council adjourned until Thursday 13 February at 2.15 p.m.