LEGISLATIVE COUNCIL

Thursday 13 August 1987

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

The Clerk (Mr C.H. Mertin) read prayers.

MINISTERIAL STATEMENT: CHILD ABUSE

The Hon. J.R. CORNWALL (Minister of Health): I seek leave to make a statement.

Leave granted.

The Hon. J.R. CORNWALL: One of the highest priorities of the State Government in the areas of health, welfare, and human services is to combat child abuse in this State. Child abuse in all its forms—physical, sexual, emotional, and neglect—is a serious, complex and sensitive social problem.

Four years ago there were 944 allegations of all forms of child abuse reported to child protection panels in South Australia. This represents a rate of two children a thousand for the population under 18 years of age. These figures compare with just over 3 000 notifications (involving 4 000 children) this year, or 7.3 children a thousand. Of this amount, about one third involved allegations of sexual abuse. Since 1985 there has been a 55 per cent increase each year in the number of notifications. It is the cause of serious community concern, but we must keep this matter in perspective. While in South Australia the notification rate is now 7.3 children a thousand, the rates in New South Wales, Queensland and the Northern Territory are 7.8, 7.9 and 9.2 a thousand respectively.

Figures from the United States suggest the number of notifications in that country reaches a plateau level at around 10.5 children a thousand, after which there is a levelling off in the number of notifications. So while South Australia is now going through a period of significant increase in notifications, it can be expected, on the basis of overseas experience, to reach a peak and then stabilise. It would also appear that the present rise in notifications is not a sudden and dramatic outbreak of the problem, but instead reflects a caring community which is now prepared to acknowledge and disclose child abuse.

The rise in notifications has in recent years put a great deal of strain on a number of government agencies. Child abuse is not just a welfare issue, it is also a health, education, police, and legal concern. In 1985 a top level interdepartmental task force was appointed by State Cabinet to provide a comprehensive report on child sexual abuse in particular.

The report, which I released in November last year, has provided the State Government with a blueprint for action to alleviate and prevent child sexual abuse. The Government has subsequently provided an additional $800 000 full year funding towards upgrading child protection services. This has resulted in an additional 17 full-time positions within the Department for Community Welfare, so that it can more adequately respond to reports of child abuse, as well as an additional eight positions in the Crisis Care Service. Within the health portfolio an extra $200 000 was made available to establish a position of Co-ordinator of the joint Health-Welfare Child Protection Unit, and to increase staff allocations at the Queen Elizabeth Hospital's Sexual Assault Referral Centre and the Adelaide Children's Hospital. We have been promptly and sensitively implementing the task force recommendations, and I would like to aquaint the council with the important initiatives we have established in 1986-87 or are developing in 1987-88.

1. Establishment of the State Council on Child Protection: In May, I established a State Council on Child Protection to oversee the implementation of the task force recommendations. It is the council's responsibility to monitor and ensure the co-ordination of child protection programs in both Government and non-government agencies. The council is chaired by one of South Australia's most distinguished citizens (Dame Roma Mitchell), and the membership comprises the Chief Executive Officers of the Health Commission, Police, the Departments for Community Welfare, Education, and Correctional Services, the Children's Services Office, the Executive Officer of the Children's Interest Bureau, a nominee of the Attorney-General, representatives from independent and Catholic schools, the non-government sector and from a support group.

The council is in the process of establishing subcommittees for interagency relations, community education, research and evaluation, and training. Several short-term working parties are also being established to develop the following:

A medical protocol is being produced for children who are suspected of being victims of sexual abuse. This protocol will be used at the Queen Elizabeth Hospital's Sexual Assault Referral Centre, the Adelaide Children's Hospital and the Flinders Medical Centre. It will also be used to train doctors at the Lyell McEwin Health Service and at various country locations.

The task force report commented on the paucity of treatment services available for perpetrators of child abuse. Professional staff from various agencies are now actively developing models for treatment services which will be presented to the State Council in December this year. Treatment services will then be established in accordance with the approved models and evaluated over a two year period. The task force specifically recommended that, once treatment services are better developed, serious consideration be given to the introduction of a pre-trial diversionary system. In the opinion of the task force, such a system could encourage more reportings of suspected cases, assist the victim and the family to cope with abuse, reduce the chance of further offending and provide a better chance of rehabilitation of the offender.

The possibility of introducing a pre-trial diversionary system will only be considered once we have had adequate time to assess the treatment services that we are now establishing. This proposal has the potential in the medium term to provide courts with a valuable sentencing option. However, I stress that child sexual abuse will remain a serious criminal offence. On the other hand, it is important to recognise (and overseas experience has demonstrated) that, unless treatment is available for the victims, the non-offending parents and the perpetrator, the prevention of child abuse is limited. A total systems approach, combining a range of services is required.

Therapy services for child victims are being developed.

We are also developing a protocol for the specialist assessment of children who are alleged to have been abused. This assessment will be used for both forensic and legal purposes as well as for dealing with a plan for the child's therapeutic needs. It will ensure that a systematic plan for the validation of abuse occurs, that coordinated intervention occurs between Community Welfare, police, psychologists, psychiatrists and medical staff, and that credibility of these specialist assessments are upheld within the court.

A discussion paper on the development of community based self-help groups has been prepared. The task force recognised the need for Government to encourage the non-government provision of services, the development

of self-help groups and the involvement of voluntary workers in service provision. A funding formula for the provision of these services will also be established.

2. Establishment of Joint Child Protection Unit: The Health Commission and Department for Community Welfare in March this year established a Joint Child Protection Unit to integrate the health and welfare policy and planning initiatives in child protection.

A position of Co-ordinator, Child Protection Unit, has been funded by the South Australian Health Commission. The position is responsible for the planning and co-ordination of child protection services throughout welfare, hospitals and community based health services. Particular attention is being given to the design and evaluation of various service delivery models and the vital need to expand and upgrade training programs on child protection matters throughout the health and welfare sectors. Ms Kym Dwyer has been appointed as Co-ordinator. Ms Dwyer has had extensive experience in child protection policy and program development, research and training. She has also had direct experience as a child protection worker.

Before coming to South Australia to join the Department for Community Welfare, Kym Dwyer was heavily involved in the planning of new child protection services offered by both Government and non-government agencies in New South Wales and also the establishment of the New South Wales Child Protection Council.

3. Community Education and Prevention Programs: Two staff have been appointed within the Child Protection Unit to develop community education programs about the issues associated with child abuse and the development of other preventive services. Particular attention will be given to encouraging other Government and non-government agencies to build on the strengths of families and to overcome the problems which lead to child abuse. There will be new developments in education opportunities for parents in understanding child development and developing parenting skills. Information will be provided to families about the availability of other support services, and neighbourhood helping networks will be strengthened.

The Government will encourage the development of programs which provide practical assistance to families who need help with housekeeping or child development.

Protective behaviour training will be expanded throughout Education Department schools. The independent and Catholic schools will be encouraged to establish similar protective behaviour programs within their schools.

4. Updating Child Protection Policies and Procedures: A project officer has been appointed to update notification procedures, including the revision of definitions of abuse: physical, emotional, sexual and neglect. The officer will also review the registration of child protection cases in which the department has ongoing involvement. Changes are being made to the computerised child protection data base, so that all forms of intervention can be evaluated.

5. Review of Regional Child Protection Panels: Child protection panels were established in South Australia in 1977. Panel members include a representative from Community Welfare, Police and Education, a doctor, a CAFHS nurse and a psychiatrist or psychologist. Panels have been required to review and monitor all notified cases of child abuse, as well as undertake community education programs, develop and promote new services and to maintain statistical information on child abuse. This task has been too broad for all regional panels which, because of an ever-increasing workload, have come to work almost exclusively in the area of case review and monitoring.

A review of the panels has been undertaken by the department, and the Government will shortly announce plans for the way that these panels can be restructured. Essentially, the focus of panels will change from a casework orientation to a coordination of services planning function, and regional panels will be integrated with the activities of the State Council on Child Protection.

6. Early Intervention: It is important for supportive assistance to be made available to families before child abuse starts so a program will be developed to identify families at risk. The Child, Adolescent and Family Health Service and other agencies such as the Flinders Medical Centre and Adelaide Children's Hospital will participate in this program. Particular emphasis will be placed on special needs families, for example, children who are adopted, handicapped, fostered, unwanted, children addicted at birth to drugs, or children seen as difficult by the parent.

7. Clinical Assessment, Therapy and Treatment: The Health Commission will increase services for clinical assessment and therapy for child victims of sexual abuse and their parents. Utilising the new medical protocols, new units at the Adelaide Children's Hospital and Flinders Medical Centre will be established to extend the range of medical assessment services.

The Child, Adolescent and Family Health Service will expand its preventive model of operating with families with young children. The Child and Adolescent Mental Health Service will continue its important assessment and treatment function in providing services to children and their families. Community health units will expand their role to make services available at the local level, with emphasis given to the development of self-help groups and parenting skill programs.

There will be improvements in the clinical assessment and therapy resources available to country people so that they will not have to travel to Adelaide for these services.

8. Professional Education: Under the auspices of the State Council on Child Protection, special training programs in child protection will be developed for a wide range of professionals including nurses, teachers, doctors, lawyers, psychiatrists/psychologists and social workers. The training will cover such issues as notification responsibilities, understanding and identifying effective forms of intervention, assessing the degree of risk to which children are placed and case management strategies. Special training for departmental staff will occur in child sexual abuse, legal issues, quality decision making and supervision.

9. Legislative reform: The Attorney-General will shortly be introducing into Parliament a number of legal reforms to improve the manner in which the courts and the law are able to deal with allegations of child sexual abuse.

10. Other Departments' Initiatives: In addition to these initiatives, many of which have been undertaken by the Department for Community Welfare and the Health Commission, the Police Department has recently established a Victims of Crime Unit, and the Education Department has appointed a Co-ordinator in Child Protection. These will work closely with the State Council and the Child Protection Unit.

11. DCW/Family Court Working Party: Last year, the Family Court and the Department for Community Welfare established a working party which has met on a regular basis and has identified and agreed upon formalised procedures. The benefits of the working party have been to facilitate communication between the Family Court and the department, to clarify respective roles and to enable clearer approaches to be established between the Family Court and the department in dealing with complex child protection

issues. One of the initiatives taken by the working party has been to organise a workshop for Family Court and welfare working parties throughout Australia, which will be held in Adelaide in October.

It is clear that the staged implementation of the Child Sexual Abuse Task Force recommendations will give South Australia some of the best laws and services to combat child sexual abuse in the nation. This Government is committed to ensuring the safety and security of our children and, wherever possible, to achieve that through prevention. We have made significant gains since the task force reported late last year. However, if our society is to protect children from victimisation and assist those who are or have been victimised, a great deal of dedicated work remains to be done.

QUESTIONS

NOARLUNGA HOSPITAL

The Hon. M.B. CAMERON: I seek leave to make a brief explanation before asking the Minister of Health a question about the Noarlunga Hospital.

Leave granted.

The Hon. M.B. CAMERON: In the 1985 election campaign, the Premier in his election speech made the following statement:

> A Bannon Labor Government guarantees major new works programs to include development of a twin hospital complex at Noarlunga, including both public and private hospital facilities (estimated cost of $16 million).

In the Minister's Address in Reply speech of August 1986 (page 352 of *Hansard* 14 August) he promised a 160-bed twin hospital complex for the Noarlunga region—a joint project between the Government and Mutual Community. He said that the Government's commitment to the project was $20 million and that it was planned for completion in 1989-90. I am informed that the southern area is in desperate need of a new hospital in view of the severe problems of overcrowding at Flinders Medical Centre in terms of both bed occupancy and the emergency area.

We are now half way through 1987 and construction of the hospital has not yet begun. In fact, according to a recent newspaper article and quoting people from the Health Commission, there seems to be some doubt as to whether Mutual Community is still going to be involved.

My questions are: Have tenders for the construction of this project been let and, if not, why not? When is construction anticipated to commence? Also, will the Minister give an unequivocal guarantee that the Noarlunga twin-hospital complex will be completed by 1989-90?

The Hon. J.R. CORNWALL: I believe that the circumstances were spelt out very well in an article by Rex Jory in the *Advertiser* about three weeks ago. That was accurate, and I do not have very much to add to it. Perhaps I ought to go through it again for the benefit of members opposite. The proposal for a twin hospital complex at Noarlunga is still very much alive and well, I am pleased to assure the Council. Money has been made available in the capital works program in 1987-88 for planning to continue. We have spent many months negotiating with the health unions investigating various innovative models of management. It is certainly not easy. In order to gain the maximum efficiency from a public/private twin hospital operation, quite clearly and quite obviously there needs to be a range of shared facilities.

That involves everything from the catering services, the so-called hotel services, through to surgical suites. That means that unless there are special managerial arrangements there will be one group of employees under public sector awards and one group under private sector awards. This means that they will be mixed up in the middle of the facility. It has taken quite some time and a deal of constructive negotiation to get to a position where all the players have a clear idea of how we can put this in place.

It has also become clear and highly desirable that the building program be financed to the greatest extent possible outside the Government's public works program. You do not need to be a Rhodes scholar to know that the capital works program in this State, and in every other State, has been, of necessity, severely curtailed in 1987-88 principally by the actions of the Federal Government. I have not heard anybody seriously contest that that was the right and proper thing to do in the circumstances that were facing the Australian economy. Because of that it is highly desirable to find major financial backing outside the Government's capital works program.

We are presently calling for expressions of interest from a wide range of organisations. I do not have the names of those organisations before me so I will not try to put them on the record by relying on my memory. Mutual Community is one of the organisations that has been invited to express interest. That is not calling for tenders in the literal sense of the term, but it is certainly calling for an active expression of interest by parties who may be interested in building the hospital complex but not necessarily operating the private hospital facility, or who may be interested in both the financing of the hospital complex and running the private hospital.

I would expect—indeed, since my return to the State on the weekend I have been advised—that those expressions of interest should be received and a clear picture should have emerged by the end of August. At that stage I intend to go to Cabinet with a set of recommendations and options for consideration. When that stage has been reached I will be able to inform the House further.

LAW REFORM COMMITTEE

The Hon. K.T. GRIFFIN: I seek leave to make a statement before asking the Attorney-General a question about the Law Reform Committee.

Leave granted.

The Hon. K.T. GRIFFIN: On 14 August 1986, a year ago, I asked the Attorney-General what decisions he had taken about the Law Reform Committee in South Australia. In August last year, the then Chairman, Mr Justice Zelling, retired from the Supreme Court bench and there was a suggestion that the Attorney-General was going to disband the committee. The committee has been in existence for over 18 years and has published well over 100 reports. Its work is highly regarded, not only among the legal profession in South Australia, but also interstate and overseas. I think all will acknowledge it has done some valuable work in the area of law reform in South Australia.

When the question was raised with the Attorney-General a year ago he said that Mr Justice Zelling would be kept on as Chairman of the Law Reform Committee until 31 December 1986, to enable the committee's references to be completed and by which time the Government would have made decisions about the future of Law Reform in South Australia. The committee, as I understand it, finished its references in about February of this year, so for six months no-one has known what the Government proposes for its future.

Some concern has been expressed interstate about the probability that South Australia will not have an independent Law Reform Committee and will be the only State without one. It is reasonable to raise questions now, 12 months after the Attorney-General first flagged uncertainty about the future of law reform in South Australia, as to what he intends. My questions to the Attorney-General are as follows:

1. What is the future of the Law Reform Committee?

2. How is law reform to be pursued in South Australia in future?

The Hon. C.J. SUMNER: The Law Reform Committee is being considered in the context of the budget, and I will make an announcement about it at that time. I think it would be agreed by everyone that the Law Reform Committee achieved the prominence it did because of the efforts of the Chairman, the then Mr Justice Zelling, and the incredible amount of work he put into it. I do not believe there is any expectation that the sort of work he did and the amount of time he devoted to law reform could be repeated in the future by another Chairman. Mr Zelling, as he now is, has continued to assist with law reform since his retirement, and I believe that some reports have been received since February. Obviously, the working committee has come to an end, and I will let the honourable member know the Government's decisions in the budget context.

The Hon. K.T. GRIFFIN: I wish to ask a supplementary question. Do I take it from the Attorney-General's answer that it is probable that the Law Reform Committee will be disbanded?

The Hon. C.J. SUMNER: The honourable member has asked a question that I have already answered.

The PRESIDENT: The Attorney need not respond.

The Hon. C.J. SUMNER: The question related to the future of the Law Reform Committee, and I said that I would announce that decision as part of the budget process.

FUNDING FOR DISABLED CHILDREN

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Tourism representing the Minister of Education a question about funding for disabled children.

Leave granted.

The Hon. R.I. LUCAS: Members will recall that prior to the last Federal election the Government announced 60 per cent funding cuts to schools and organisations providing services for disabled children. After considerable public outcry, the Federal Government deferred the cuts for one year, pending a review. Representatives of these affected groups have told me that, after meetings held with the Federal consultant in April this year and the release of the interim report, their concerns about their future have been increased.

In fact, in a letter to the Commonwealth Department of Education, the heads of eight of these schools and organisations (the Autistic Children's Association of South Australia, St Ann's Special School, Suneden School, the Spastic Centres of South Australia, the Down's Syndrome Association, St Patrick's Special School, the Torrens Toy Library and Family Counselling Centre, and the Crippled Children's Association of South Australia) said:

> We wish to strongly reaffirm that proceeding with the changes in funding previously recommended would have serious consequences for all organisations listed below, with at least one being unable to continue beyond 1987 while others would be forced to close soon after. Those least affected would need to reduce services by up to 50 per cent. The effect on services to the disabled is obvious.

Representatives of these groups have spoken to the State Minister of Education, who has indicated that the State Government will not assist. The situation is so serious that the Principals of St Patrick's Special School and St. Ann's Special School wrote to the Minister of Education on 22 July this year and said that 'the proposed 60 per cent funding cuts would result in drastic reductions in staffing, forcing the closure of St Patrick's and St Ann's schools in the near future'. They went on to say that it was 'irresponsible of the South Australian Government to simply place the onus on each organisation to ensure that its appropriate level of funding is maintained'. Parents of these children have contacted me and, understandably, are very angry about what they see as 'political buck passing' between two Labor Governments—one State and one Federal—as to which Government should pick up this funding. I agree with them, as it is clear that these disabled children are being used as political pawns in a dispute between two Labor Governments. Will the Bannon and Hawke Governments initiate urgent talks at the ministerial level and give these eight schools and organisations a cast iron guarantee that their futures are assured, and will the two Governments then negotiate joint funding responsibility for these bodies.?

The Hon. BARBARA WIESE: I will refer those qustions to my colleague in another place and bring back a reply.

ASH WEDNESDAY FIRE

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister of Local Government a question about the Ash Wednesday fire of 1980.

Leave granted.

The Hon. M.J. ELLIOTT: This matter has been continuing for a long time—in fact for more than seven years. The fire of 20 February 1980 involved a total damage bill of about $10 million, of which I believe about $2 million was not covered by insurance due to the fact that some items were uninsurable or in some cases under-insured. The District Council of Stirling had total public risk insurance of $1 million. One court case, *Delaney v District Council of Stirling and F.S. Evans and Sons Pty Ltd,* dragged on and was not finally resolved until February 1986. It was about six years before liability was finally and absolutely established against the council and F.S. Evans and Sons. A sum of $1 million has now been paid to the council, and I believe that the council has paid about $500 000 to some of the claimants.

It has been alleged to me that much of that money has gone to insurance companies and banks as recompense and that very few private claimants have received money. It is a little difficult to work out exactly where the money has gone, because insurance companies have claimed through the name of the person who was insured with them. It has been alleged that the remainder of the $1 million has gone in legal fees. Indeed, a great deal of sympathy has been expresssed for the council in relation to the fact that it carried only $1 million in insurance. Apparently, that is not unusual; that was the level of insurance for many councils at that time, and it was considered to be adequate. It is to be noted that, apparently, councils do not have limited liability, and the Stirling council probably cannot afford to pay the lot. It seems that the tactic developed is to fight every inch of the way, fighting each case separately, and eventually people give up and go away. In some cases, people are starting to die.

While sympathy and understanding can be extended to the council, the question has been put to me, 'What about

the victims?' Clearly, they were not responsible for the fire, but they are the ones who are finally being asked to bear the cost, because the council cannot afford to bear it. My questions are as follows:

1. Has the Department of Local Government or the Premier's Department been advised by the Stirling council on this matter?

2. How much of the $1 million has gone in legal fees and how much has gone directly to the victims?

3. How much of the $500 000 that has been paid has gone as recompense to banks and insurance companies, particularly the SGIC, and how much has gone to individual victims who have not been insured?

4. Does the Minister agree that direct Government intervention may be the only solution, or does the Government wish to wash its hands of the affair and allow the wrangling to continue?

The Hon. BARBARA WIESE: The Government is in full sympathy with the victims of the 1980 Ash Wednesday bushfire, and understands the hardship that they have suffered as a result. The Government also understands the anger and frustration that those victims feel as a result of the very lengthy delays that have occurred in having their claims settled. Having said that, I must point out that the Stirling council has a responsibility not only to the victims of the Ash Wednesday bushfire but also to all of its ratepayers in determining its liability in this matter. My advice is that the council is taking that responsibility very seriously, and is taking appropriate action to determine its liability.

It is true that there has been one court case involving Delaney in which the council was held to be jointly liable for the claim. However, since that time there has been a subsequent court case in Australia that appears to alter the principle of liability of public authorities and, as a result, I understand that the Stirling council has taken advice.

The Hon. M.J. Elliott: From whom?

The Hon. BARBARA WIESE: From its solicitors, that it would be appropriate for a further case to be taken to court in order to establish its liability in the matter. I understand that action has been taken to do that, but that the case is not likely to be heard until early in 1988. I repeat that it is important that the Stirling council, being a responsible authority with a responsibility to all its ratepayers, should take appropriate action to see that the due process of law is followed in the interests of those ratepayers.

My responsibility as Minister of Local Government is to ensure that local councils operate in accordance with the provisions of the Local Government Act. My powers under that Act for intervention are very limited indeed. They are to be used in extreme circumstances and only if a council is not functioning or has breached the terms of the legislation. Because the issue was raised in the past few weeks, I asked officers of my department to discuss the matters that had been raised by bushfire victims and to investigate the allegations against the council about the misuse of insurance moneys. I have been advised that the money that has been spent so far by the council has all been in association with the bushfire claims that have been made, and that there are no grounds for me to become involved in this matter as Minister of Local Government.

As to the amounts of money that have been spent by the council and to whom the money has been paid, I do not believe that that is an issue for me to comment on in this place. If the Hon. Mr Elliott wishes to have information about where the money has gone, he should contact the Stirling council and seek that information from it. It is a responsible public authority and is accountable to its ratepayers. Questions along those lines must be directed to the council. What I can say is that the investigations that have been carried out on my behalf reveal that any money that has been spent has been spent appropriately and in association with the bushfires and bushfire claims. That is the extent of my involvement in this matter.

I repeat that the Government is concerned about the plight of bushfire victims, but the Stirling council is behaving appropriately in this matter and is taking action to determine its liability. I know that the council is concerned to resolve this matter as quickly as possible and to assist bushfire victims wherever it is able to.

The Hon. M.J. ELLIOTT: Before asking a supplementary question, I point out that there was no attack on the council at any time. Has the Minister's department been giving ongoing advice to the Stirling council about what to do? Should those pay-outs be confidential? Is the Government willing to take more direct action? This matter may need legislation.

The Hon. BARBARA WIESE: It is a matter for the Stirling council as to whether it wishes to divulge to whom it pays sums of money. I have no further involvement in this issue, and I think that I have answered that question. As to the State Government's involvement in this matter, I point out that it has no liability in this area. It does not believe that it ought to have any involvement in this matter at this time. It is a matter for the Stirling council to resolve. As I indicated, the council is taking appropriate legal action to determine its liability. That is the proper course of action in the interests of all its ratepayers. There is no role for the Government in this matter.

HAROLD LAWSON

The Hon. CAROLYN PICKLES: I seek leave to make a brief statement before asking the Minister of Health a question about the death of a child at the Adelaide Children's Hospital.

Leave granted.

The Hon. CAROLYN PICKLES: The *Advertiser* and Channel Nine News have detailed the account of the death of a child at the Adelaide Children's Hospital. The child's name was Harold Lawson. I understand that the matter was also followed up on 5DN this morning. Can the Minister advise me of the details of the death of this child and what investigations, if any, are under way?

The Hon. J.R. CORNWALL: At the outset, I say that Harold Lawson died at home quite some time after he had been discharged from hospital. I regret that this matter has been raised, but not because I do not believe that, at all times, there should be full public airing of any grievances concerning the hospital system in this State, whether it be the public or private system. However, this issue would not normally have been raised by journalists except in the current atmosphere that has been created concerning the cross-infection problem at the Adelaide Children's Hospital.

This is a tragic case of a child, Harold Lawson, who was assessed by the Child Assessment Unit at the Adelaide Children's Hospital in November 1982 as having moderate to severe mental retardation and severe epilepsy. He had a short attention span and was hyperactive. (It would appear from the evidence presented to the Patient Information and Advisory Service and from discussions with the Chief Executive Officer of the Adelaide Children's Hospital that Mrs Lawson was unable to accept that Harold was unlike other children). Medical documentation in the unit record refers to the reluctance of both Mr and Mrs Lawson to accept their son's retardation.

Harold Lawson had 14 admissions to the hospital during the period July 1984 to May 1987, involving two operations to reduce dribbling and one operation to reduce reflux or vomiting. He was discharged from the Adelaide Children's Hospital on 30 March 1987 following his 24 March operation to reduce vomiting. He died on 1 April.

The coroner, in his final report, concluded that Harold had died from anoxic brain damage while in his bed at home, probably caused by an epileptic seizure. On 10 June 1987, the coroner deemed that an inquest was not indicated. Mrs Lawson contacted the Patient Information and Advisory Service in early May 1987, some six weeks after Harold's death, concerning Harold's treatment at the Adelaide Children's Hospital. The Patient Information and Advisory Service arranged a meeting between Mrs Lawson and senior medical and administrative staff of the hospital on 12 May 1987.

A formal report from the Patient Information and Advisory Service was forwarded to Adelaide Children's Hospital, and a detailed reply from the hospital of 6 August 1987 is now being investigated. The report from Adelaide Children's Hospital was released today to Mrs Lawson, as I promised that it would be.

Mrs Lawson has also written two letters—in July and August 1987—to the Medical Board of South Australia, the contents of which are also being investigated. Might I say that on the evidence presented to the Patient Information and Advisory Service, there is nothing to suggest that the treatment Harold received at the hospital was related to his death.

I do not wish at this time, at least, to go into the details of the long and exhaustive letter in reply that has been forwarded to the Patient Information and Advisory Service from Adelaide Children's Hospital, but I would like to read into *Hansard* point 12, which concerns the discharge. The allegation has been made that the child was discharged prematurely, and that that in some way was related to his death. As I said, of course the coroner has considered the matter. Let me further read to the Council the response from Adelaide Children's Hospital, as follows:

> The Nursing Supervisor had discussions with Mrs Lawson on the day Harold was last discharged and states that, in her opinion, Mrs Lawson appeared happy, even keen, to take Harold home. Although the ward was at capacity and, indeed, two Aboriginal children were admitted, staff deny that any suggestion was made that Harold should be discharged against parental wishes.

The letter concludes:

> I hope you will agree that the length of this letter attests that we have taken the matters raised by Mr and Mrs Lawson very seriously, and have endeavoured to investigate all of them. It is a matter of regret that the issues were not brought to attention at the time of occurrence when counselling and problem-solving strategies could have been developed.

The reality is, and I say this with great sympathy, and I hope empathy, that Mrs Lawson, in particular, is having substantial trouble with her grieving process, and I appreciate that. As I said, I have full sympathy, but I think that it is most regrettable that the matter has been raised in the way in which it has been raised, and that it may have in some way tended to reflect on this very fine children's hospital that we are fortunate to have in Adelaide.

RATES AND CHARGES

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about rates and charges.

Leave granted.

The Hon. J.C. IRWIN: Following the Minister's answer to a question by the Hon. Mr Davis on Tuesday about minimum rates, I am puzzled by one aspect of her answer. I know from comments made to me by many people in local government that they, too, are puzzled. I might add that on Tuesday the Minister referred to members of the Opposition going to regional association meetings of local government, and being very upfront about their position on the minimum rate.

To clarify my position, I have attended numerous local government regional meetings and not once have I publicly or privately expressed a view for or against a minimum rate. Having said that, what puzzles me is what the Minister says about the minimum rate issue in relation to rates. I quote from her answer last Tuesday:

> What is at issue is the rating system itself and whether the principles that local government rating be based on property value should be adhered to. That is the issue. It is an issue of equity and fairness for ratepayers.

I am puzzled because this admirable statement expressed in the Minister's words is not consistent with a number of other obvious factors. First, the Minister is supporting the differential rating system as part of the new Act. Once a differential rate is struck it immediately distorts the property valuation equity base. In other words, two identical houses facing each other across the street may pay different rates because a differential rate is applied to one house on one side of the street and not on the identical house on the other side of the street. This is getting away from the principle spelt out by the Minister. It is hardly fair or equitable on the Minister's own standards—

The PRESIDENT: Order! I remind honourable members that no opinion may be expressed in an explanation.

The Hon. J.C. IRWIN: Thank you, Madam President. Secondly, the Government of which the Minister is a part continues to support a minimum charge being applied to water, electricity and other services. To illustrate that further, I have my current ETSA bill in front of me, and I have just paid a combined account of $517.80. This bill includes one component of $9.17 requiring a minimum charge of $10.78. Where on earth is the fairness (I guess that that is a comment)?

I bear in mind that pensioners and low income earners who may use power and water sparingly may be less able to afford a minimum charge in addition to their bill than I am. It is not good enough for the Government to say that the legal position between the words 'rate' and 'charge' is different, because the average person does not differentiate between a charge and a rate. I suggest to the Minister that the principle is exactly the same and, what is more, the calculation for a minimum charge for water is based squarely on property values. Therefore, my questions are:

1. Will the Minister help me and others solve this puzzle and explain why she has differing stances on the same principle: that is, support for the differential rate and minimum charges, and not for local government to be able to impose its own minimum rate?

2. Will the Minister publicly stand up for her admirable principle, and advise the Government that it should abolish minimum charges for water and electricity?

The Hon. BARBARA WIESE: I am delighted to have the opportunity to clarify the issues that have been raised by the honourable member, because it seems to me that he confuses at least two important issues. First, if I can deal with the issue of E&WS charges and the comparison that is being made between them and the minimum rate. I should say that it is something like comparing apples with oranges: they are two completely different issues.

The minimum rate is part of a taxation system. The charges implemented by the E&WS Department for water and sewerage are just that: they are charges and they are not part of a taxation system. Therein lies the crucial difference between the two issues we are discussing. Some areas where local government is involved are similar to the sort of charge that the honourable member suggests is charged by the E&WS Department. This would be in such areas as the charge that councils make on properties when a common effluent drainage system is installed.

When those systems are installed in an area, a council is allowed to make a charge on those properties for the provision of that service, and that is the sort of charge that is comparable to the E&WS charge. However, it is not comparable to the minimum rate as it is used by councils, because the minimum rate is part of a taxation system. It is not a fee for a service.

If one is interested in considering something that is close to that, and if one thinks that that is a reasonable idea, I suggest that the honourable member looks again and looks carefully at the alternative proposition to the minimum rate, which I recommended to councils and which has been independently assessed by the Centre for Economic Studies. In fact, that is comparable to the charge imposed by the E&WS Department for water and sewerage.

What I am saying is that we could provide for councils to levy a charge based on administration costs in their areas so that the costs for those administration expenses are shared by all ratepayers and, upon that, one would then build a rating system. In effect, we would have a two tiered system of rating. I say again that that is a very fair way of handling the issue that has been discussed between the Government and local government for some time.

As to the question of distortion of the rating system itself, I will make a few points. First, this question of the minimum rate and where it fits into local government rating and taxation must be viewed in the broader context of the debate that is taking place right around Australia about taxation, who should pay and whose responsibility various forms of taxation are, that is, which levels of Government should be responsible for which forms of taxation. For a long time it has been held by local government and supported by State Government that the area of property taxation is one which, until now, has been almost the total preserve of local government; and that is what its rating system is based on. The degree to which there is any distortion of that rating system is a matter that must be debated broadly, and until this time—

The Hon. L.H. Davis interjecting:

The Hon. BARBARA WIESE: A wise man listens and learns; a fool shoots off his mouth and learns nothing. The honourable member ought to listen.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: The degree to which a distortion from a taxation system can be tolerated is something that requires debate. There has been an acceptance in the past that there are some distortions to that basic property taxation system which are tolerable, and amongst those distortions that have been considered reasonable are things like differential rates and the minimum rate. However, it has always been held that the degree of distortion allowed should be relatively small.

What has happened over time, with the use of the minimum rate provision, is that in some areas of the State the degree of distortion from the principal rating system—the principal method of taxation—has grown out of proportion and is, in fact—

The Hon. L.H. Davis: How many councils would you fit into that category?

The Hon. BARBARA WIESE: It has yet to be tested in the court as to what would be considered an appropriate level of distortion.

The Hon. L.H. Davis: You must have some idea.

The Hon. BARBARA WIESE: A number of court cases have given some direction in this area. For example, in Victoria a decision of a court suggested that something like 25 per cent of assessments is a reasonable proportion to form the basis of a reasonable minimum rating provision. There has been some discussion as to what might be a reasonable level in terms of dollars, and that varies from decision to decision.

The point is that these are the issues which should be discussed and which must be resolved at this point when we are revising the rating and finance provisions of the Local Government Act. As I was saying before being interrupted, the degree of distortion which has taken place in some parts of the State through decisions of some councils is significant, and it has been growing so that every year the level of the minimum rate in some parts of the State has been getting higher and the proportion of assessments on which it is being levied has been growing.

We have that situation emerging. It is very alarming because it is representing, in some parts of the State, quite a major distortion of the principal rating system. The issue that I have consistently asked local government to address its mind to is that question. We must find an answer to this problem. All along I have said that I am willing to discuss compromises and alternatives about what would be a reasonable way of addressing this very fundamental issue. I very much resent the way in which this issue has been used as some sort of political football in the Legislative Council, because it is a very fundamental—

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: It is a very fundamental issue of principle that affects all the people in Australia, and that is the basis of our taxation system at the various levels of government. It is a very serious issue and one that I ask all members in this place to think about very clearly as we move towards the introduction of this legislation, because the issue must be dealt with.

Certainly, there is at least one alternative proposal which I think is very reasonable, and it is one that I put to local government. That proposal has now been independently assessed as a reasonable alternative and one which does not significantly distort the fundamental principle of taxation for local government.

That proposal would also enable councils, in almost all cases, to maintain their current revenue levels while providing justice and equity for ratepayers.

The Hon. J.C. IRWIN: I have a supplementary question. Does the Minister agree that, if the minimum rate is deleted by legislation, councils will use the differential rating system and may therefore abuse it to the same extent that the Minister, with some justification I understand, is claiming that the minimum rate has been abused?

The Hon. BARBARA WIESE: I hope that people in local government would be responsible enough not to want to abuse particular aspects of the rating system, and that in fact a new problem would not be created by the abuse of the differential rating provisions in the Local Government Act. However, should that emerge, as I understand it has emerged in Queensland in recent years (and the Queensland Government is currently trying to come to terms with that), then it would be an issue which the State Government

would have to take up with local government and for which it would try to find some solution, just as we are now doing on the issue of the minimum rate.

I repeat that those departures from the basic method of taxation, like the differential rating provisions and the minimum rating provisions, are to be used for particular purposes. They are not to be used as general revenue raising measures, and they are not to be used to grossly distort the fundamental taxation system of which they are a part. Should that situation emerge, we would have to face it at the time, and the Government would be seeking at that time to take appropriate action to see that it did not continue.

DDT

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Health a question about banning the use of DDT.

Leave granted.

The Hon. PETER DUNN: There have been many reports that the South Australian Government is about to ban the use of DDT, such use having been under a cloud for a number of years. Its use for fly control on sheep and parasites on other animals has been banned for a number of years. However, it has been legal to use DDT on some crops, for example, cereals and other grains, and for the control of some pests that are hard to kill. Countries to which we export meat and livestock products have, for some time, banned the importation of products containing small quantities of DDT. Recently there have been complaints of DDT contaminating export meat, and it appears that the Australian and State Governments have reacted by anticipating the total banning of its use.

Quantities of DDT are still left on many properties and with resellers. In the light of the former legal use of DDT and its sudden banning, will the Minister establish a mechanism to dispose of the remaining DDT and will he compensate those people holding stocks of DDT and, if so, by how much?

The Hon. J.R. CORNWALL: The question was directed to me as Minister of Health. Quite obviously, the Minister of Agriculture has the primary carriage of agricultural chemicals. The only area in which I have a direct interest in DDT currently, as I understand it, is in the treatment of head lice. However, I am perfectly happy to express a reasonably well qualified view as a former veterinarian—in fact, still a registered veterinarian in good standing, although I would need substantial refreshing before anybody would entrust their animals to my tender loving care. DDT has no place anywhere. It certainly has the potential to jeopardise export markets, both for grain and for livestock, which are worth hundreds of millions of dollars. The cavilling about paying compensation for any residual stocks of DDT that might have to be returned and disposed of from farm properties against that background really does not do the organisation or the organisation raising the matter a great deal of credit. However, I do not wish to wander into my—

The Hon. Peter Dunn interjecting:

The Hon. J.R. CORNWALL: Many things were legal. Thalidomide was legal at one stage also. I think that is a very foolish argument. We now know and have known for a very long time that DDT persists in the food chain for many, many decades. It is a very toxic chemical; it has no place in agriculture; and it has no place in the treatment of livestock amongst responsible primary producers.

Even if a case were made out to the contrary, the reality is that it has the potential to wreck our meat exports to some very valuable export markets. In those circumstances, I support my colleague the Minister of Agriculture very strenuously indeed. The sooner DDT in all forms is banned in this State and withdrawn from the market to the extent that there is none available in any form, and the sooner that any residual stocks on farm properties are returned and destroyed, then the better off we will all be. Apart from that, I do not have any strong views.

The Hon. PETER DUNN: I have a supplementary question. The Minister explained in his opening gambit that he was not the Minister responsible. Would he pass it on to the Minister responsible?

The Hon. J.R. CORNWALL: Certainly.

The Hon. PETER DUNN: He gave a very lucid explanation of his opinion about it. Could he give us an opinion about the mechanism of disposing of the remaining DDT?

The Hon. J.R. CORNWALL: No, I think I have used up all my residual expertise. I will be happy to pass on the remainder of that question to the Minister of Agriculture and bring back a reply.

BOTANIC PARK CAR PARK

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Attorney-General a question about the temporary car park in Botanic Park.

Leave granted.

The Hon. I. GILFILLAN: In spite of substantial public protest, a so-called temporary public car park was established on the Botanic Park area some 18 months ago, and the Parliament and public were reassured that it would be there only for the period that was required for the building of the tropical conservatory and for necessary adjustments pending the movement of the Hackney STA depot to quarters at Mile End. As the funds are now no longer available for the building of the tropical conservatory and no money is made available for movement of the STA depot from Hackney, will the Government take immediate steps to ensure that the previously so-called temporary car park is removed from its trespassing position on the Botanic Park and initiate the necessary action to be taken by the STA and the Botanic Gardens Board to that end?

The Hon. C.J. SUMNER: The honourable member seems to have some great insight into the Budget that is not available to anyone else. I am not sure that all the assumptions that he has made about the tropical conservatory or the bus depot are correct. I suggest that the honourable member await the Budget and, if he is still concerned, that he then re-ask his question.

CHIEF JUSTICE'S COMMENTS

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

Leave granted.

The Hon. K.T. GRIFFIN: Following yesterday's question which I raised with the Attorney-General about statements by the Chief Justice, I want to raise with him the other issues which the Chief Justice apparently raised at the conference on Tuesday. One was the expression of opinion by the Chief Justice that procedures for the questioning of crime suspects was defective and, as a result, the Chief Justice advocated an inquisitorial examination before a magistrate of people charged with an offence.

The Chief Justice indicated his disapproval of the legislation which enables an accused person to elect whether or

not to be tried by a judge alone or by judge and jury in criminal matters, and advocated also legislation to protect the privacy and confidentiality of jury room discussions. I would be interested to know whether the Attorney-General agrees with each of those three propositions of the Chief Justice and whether, on any of them, if he does agree, any legislation is proposed.

The Hon. C.J. SUMNER: The Chief Justice raised a number of issues in his speech—some more controversial than others, I would suspect. The question of trial by judge alone was addressed by this Parliament only some two or so years ago. Although I know that some judges do not like the procedure, by their very nature judges do not like change very much, and at this stage I do not intend to move with respect to that comment of the Chief Justice. It is an option given to an accused person which the Government felt was justified.

I should say that it was originally recommended by one of the Chief Justice's colleagues, Justice Roma Mitchell, which goes to show not only that Attorneys-General and Chief Justices have differences of opinion about issues but also that judges and Chief Justices can have differences of opinion about issues, and that was one.

The question of jury room discussions has been discussed before and I have indicated that I think the existing law is satisfactory. An Australian Law Reform Commission report on contempt is currently being prepared. That may have some comment on this topic, but I do not intend to take any action at this stage on jury room discussions. I have addressed that matter on previous occasions.

The first issue that the honourable member mentioned arising from the Chief Justice's comments is undoubtedly the most controversial and, frankly, it is not a matter to which I have given any detailed consideration. Obviously, what the Chief Justice says is worthy of consideration generally, but I do not have a view on the first question that he raised, namely, the procedures for the questioning of suspects.

I would like to add to his comment on the need for a director of public prosecutions and the suggestion that it should have been more seriously considered by me and the Hon. Mr Griffin instead of being dismissed, as the *News* editorial apparently suggests.

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: The honourable member had two bob each way and was undecided, as usual, but I will not criticise him for that. I thank him for the amount of support that he was able to give me over the matter. I was able to form an opinion. The Chief Justice addressed the matter in his speech two days ago, but that was not the first time that I heard of the issue. For some time I have had the opportunity to give that matter mature consideration, and that was why I was able to respond to the proposition so well, so logically and so cogently.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 11 August. Page 56.)

The Hon. R.J. RITSON: I support the motion. I thank His Excellency for the speech with which he opened Parliament. I reaffirm my loyalty to Her Majesty Queen Elizabeth II, Queen of Australia, and to her representative, His Excellency Sir Donald Dunstan, Governor of South Australia. I join with His Excellency in his expression of condolences for the families of the deceased members: the Hon. Mr Simmons and the Hon. Mr Loveday.

On the occasion of this Address in Reply I propose to deal with a single issue, a matter touched on in item 14 of His Excellency's address, namely, child sexual abuse. It was with great interest that I listened to the Minister's statement today, and I want to begin my analysis of this issue with some bouquets because, having been a medical practitioner for over 25 years and a member of Parliament for some eight years, I have had occasion to seek the help of social workers and, latterly, the help of the Department for Community Welfare on behalf of patients and constituents. I am impressed by the helpful and competent solutions found to many of the problems which fall within the areas of the proper training of social workers. I further commend the principle adopted by the Government of the day—that is, to allocate more resources to the protection of our children, who, after all, are the greatest investment of our society.

The Hon. Diana Laidlaw: These new appointments are nearly all administrators.

The Hon. R.J. RITSON: The Hon. Ms Laidlaw has very helpfully interjected to make the point that the new structure looks very much like a bureaucracy. One wonders what this structure will do to increase the practical availability of expert professional help in the field. That remains to be seen.

I want to deal principally with the dangers that are associated with the pursuit of latent or secretive child abusers. The department has a serious obligation to find this offence wherever it occurs but it has a graver responsibility not to find it and pursue it where it does not occur. The accusation of child sexual abuse is the easiest accusation to make, but is the hardest to defend; it is a most destructive accusation and, of course, it solves a custody dispute in one fell swoop. It is very important that the initial assessment of any allegation be done by people with great skill and knowledge of these matters who can be relied upon not to pursue with neurotic zeal an allegation which ought never to proceed.

In order to set the stage for further analysis of this problem, I refer to a report in the *Sydney Morning Herald* of May this year, which is a review of a publication by Dr Spiegel, a New York psychologist, who was himself the victim of a proven false accusation. He stated that in the United States of America some 65 per cent of such allegations proved to be false, and he referred to the destructiveness of these allegations, not only to parents, but to the children of families who are destroyed by such allegations. He said that it is important that the initial assessments be made, not by social service officers with two or three weeks training, but by people with the proper skills to assess the initial complaint, so that the investigations are directed in areas where it is more likely that the complaint is justified, and unjustified complaints are recognised as such before they get to the destructive stage of court proceedings in such large numbers as they appear to do in the United States.

The alarm bells have rung in the United States and as we have discovered from our daily press in South Australia, they are ringing in England. We have regular reports from the UK concerning the hearings which have been precipitated by the sudden upsurge in apparently unjustified allegations. In South Australia, I believe we are starting to see the same thing and I will, during the course of this speech, read in detail from a court judgment which dissects the faults in our system and the way in which unjustified allegations can be carried on to a destructive level when they should never have reached that stage. The initial assessment calls for an evaluation based on the type of complaint.

Dr Spiegel has said that several important questions must be asked right from the beginning: is there a custody or divorce dispute proceeding; did the initial complaint of abuse emanate from a child, from a parent, or from someone else; and was the information anonymous and, if so, why? The reason for that sifting process is fairly obvious because everybody knows, and the learned literature tells us, that a complaint emanating from a child is, by and large, against the child's own interest. If it is a child of tender years and there is a specific and convincing tale of sexual interference, such a child generally does not have enough knowledge of adult sexuality to tell a convincing story unless the situation has actually happened. Everybody agrees that no complaint by a child should go uninvestigated because of the high probability of it being found to be justified.

When a complaint comes from a spouse with whom the other spouse is joined in a custody debate, one has to be a little less enthusiastic in immediately calling the police or labelling the person, and it requires a little more skill to sort that out. Of course, anonymous complaints from third parties must be viewed with a great amount of caution. Dr Spiegel also says that an important question is: what are the qualifications of the professionals who make the initial assessment? As I said earlier, he said, 'We really need to have qualified people doing good investigations, not social service workers with three weeks training.'

I have here the fine structure to which the Minister referred in his press release today, and I share the Hon. Ms Laidlaw's concern about it being a bureaucratic structure and not drawing in the high level of professional expertise at the coal face which is necessary. For example, it contains a list of members of a working party to provide models of assessment and treatment for sexual offenders.

There are some administrators and social workers on that working party, but I cannot see anyone with the professional knowledge and understanding of the assessment and treatment of sexual offenders, the sorts of skills that are possessed by the senior forensic psychiatrists in this State who know all about it and who work with sexual offenders but who are shut out of this. In the jargon of the day, it is called getting rid of the medical model. It is, in fact, a preference for someone with three years' training and with part training in psychology over someone with 15 years' training in medicine, psychiatry and forensic psychiatry. I cannot see the sense of that sort of exclusion of those with real skills, and that is what Dr Spiegel was talking about.

I will refer now to the case that demonstrates all these faults as well as a most reprehensible action on the part of the Director-General of Community Welfare, Ms Sue Vardon, in that she demonstrated her willingness to attempt to pervert the course of justice, to attempt to fiddle the witnesses, as it were, by restricting the availability of certain witnesses to a father who was joined in dispute with the Minister of Community Welfare and to attempt instead to supply witnesses to the other side, witnesses of the department's choosing. I will detail that in a moment. Let us begin with the case of Mr X. Although I have privilege, I do not propose to cut across the spirit of the Family Law Act by naming the parents or the child, or, indeed, doing anything that will enable people who do not already know about the case to identify those involved.

This is a case in which a husband and a wife with a broken down marital situation, frank war declared between the two, were having difficulty over the husband's access to the child. The difficulty was that each time the husband took access, with face to face meeting with the wife, the husband, more than the wife, precipitated the most dreadful quarrels in front of the child. The quarrels upset the child, and the wife sought help from various sources, such as the Department for Community Welfare, concerning the method of handover at access time. She made a very big mistake, apparently; she telephoned the Women's Information Switchboard and spoke to a lady called Miss Caroline Woodman. Miss Woodman took it upon herself to ask a few questions on the telephone about the upset child and informed the wife that the child must have been sexually abused. That was a very skilful telephone diagnosis: I do not know anyone else who could make a diagnosis like that. Furthermore, Miss Woodman was able to diagnose that it was the husband and not anyone else who had had access to the child.

The upshot of this was that in due course the Department for Community Welfare received a report from Miss Woodman (which it claims to be anonymous) and again informed the wife that the child had been abused. We must bear in mind that at no stage had any allegation of child abuse emanated from the family or the child. The next thing that happened was that the department sought a Children's Court order to restrain the husband from access to the child. I guess one can have no quarrel with that; it tends to be an emergency or expediency action pending discovery of what is really happening. The husband responded by applying to the Family Court for access to the child. The argument before the Family Court, whilst it ended up centring entirely on the question of quarrelling between the husband and wife at the time of handover, at one stage became a question of the alleged sexual abuse by the husband, which, I remind members again, was never alleged by anyone in the family or by the child. That was a telephone diagnosis, volunteered by and not requested of Miss Woodman.

At this stage the Minister indicated that he would not be inclined to take any notice of the Family Court decision. The Attorney-General would know better than I would, but I understand that the Family Court, under exceptional circumstances, can override the Minister in access cases. Here the story of incompetence begins, because the child had been examined at the Sexual Assault Referral Clinic at the Queen Elizabeth Hospital. I relate the happenings to my point and to Dr Spiegel's point about the level of competence.

When the matter was examined in the Family Court, the medical report of the Sexual Assault Referral Clinic doctor was one of the first things to be looked at and it described abnormalities of the anoperineal region. The doctor who made that report was without specialist qualification, but had had some previous experience in children's hospitals and had part but incomplete training in gynaecology. That doctor certainly had no special forensic training or higher qualifications. The two crucial parts of her report were the finding of anorectal abnormalities consistent with digital abuse and the finding that the child volunteered certain descriptions of sexual conduct between herself and her father.

The surprising thing is that, when the child was examined by a senior paediatrician of many years standing, the abnormalities were not there. They were never alleged to be acute abnormalities relating to one incident. It had simply been assumed, since the volunteered telephone diagnosis some months earlier, that there was this chronic form of abuse, and yet the signs suddenly disappeared when the more senior specialist looked for them.

The cross examination of the medical practitioner concerned revealed, alarmingly, that events did not, in fact, occur as they had been described. It is useful to read some of the judge's remarks about the medical evidence. The judge noted (at page 7 of the judgment) that there had been a telephone diagnosis and that the wife had never made an

accusation. Another significant factor is that the case was not served up as an open ended case. It was not a question of, 'Here is a child who has some symptoms.' Before the doctor saw the case, there was a conversation with a nurse who made a note to the effect that it was a case of alleged sexual abuse.

In performing the examination, the doctor did nothing at all to ask any questions about how that allegation came about: that is, about what symptoms or signs might have led to such an allegation. The doctor simply went on to see whether she could find something that was consistent with the allegation. In cross-examination, the doctor concerned subsequently admitted that at no stage did the child volunteer any allegations. The nearest it came to it was when the examining doctor placed her finger on the child's anus and said, 'Did Daddy ever touch you there?' The child appeared to nod in assent.

The judge, in observing the great discrepancy between the report and the cross-examination of the examining doctor, considered submissions that the doctor had lied to make the evidence fit the allegation. The judge also considered alternative submissions that the doctor had simply had a poor memory that had been jogged by cross-examination. The judge commented that he found that the doctor did put a gloss on the evidence, but that there was also an element of the memory having been jogged.

The next part of the medical evidence that came into question was the evidence of one who I will call the Government psychiatrist, who was of junior qualifications and experience. His Honour made the comment in his judgment that there was some argument as to whether the doctor should be admitted as an expert witness on the basis of qualifications and seniority. His Honour stated that he decided to admit the witness as an expert but, in the event, he wondered whether he had erred, because there followed enormous criticism of the Government psychiatrist. The evidence was found to be long, rambling and evasive. The conclusion was that, although the initial psychiatric report referred to volunteered allegations by the child, when the evidence was fully tested, the child had not done anything of the sort but appeared to nod when the question, 'Did Daddy ever touch you there?' was asked. His Honour asked why this doctor did not ask further questions such as, 'How often were you touched there?' and 'Was it as a result of your being helped with your toilet?'

At this point I turn to something that I think is really crook. Another witness who was eventually of the greatest help to the court (Dr Keith Le Page) had been asked by the father's solicitor to see the child. Ms Sue Vardon attempted to obstruct that. In a letter to the Minister (Dr Cornwall) on 24 April 1986, Ms Vardon said that the evidence and opinion of the female Government psychiatrist were not acceptable to the father or his solicitor. She continued:

> I have not been able to find in the area of child psychiatry or DCW any person who has any regard for Dr Le Page's assessments. He is not seen as having any particular skills or abilities in child psychiatry or assessment. As well, he is already prejudiced. It is considered that if further assessment must occur (we should be careful not to expose these children to professional abuse . . .

Ms Vardon suggested three names of doctors who might be witnesses. Bearing in mind that the Minister was on the verge of intervening as a party to this dispute, that is an awful sort of obstruction of normal justice to say to the person on the other side of the argument in court, 'We are not going to let your witnesses have access to the evidence. We are going to choose your witnesses. We will tell you which witnesses you can have.' Ms Vardon has defamed the witness and advised the Minister to use his executive powers to prevent Dr Le Page from examining the child on behalf of the party on the other side of the dispute. The excuse was used that the children had been examined enough and should not be examined further but she suggested the names of three more doctors who could examine them because they were chosen by the department.

To the Minister's partial credit, he must have been fairly ignorant and not thought very much about it. On the same day, he signed a letter to counsel for the father which, amongst other things, said that their witness could not have access to the evidence. His letter put forward the Government's list of preferred witnesses. The other part of the letter was a refusal to consent to the father's having access to the child.

The first part of Sue Vardon's letter, which terminated in the way I have already explained, was full of allegations of sexual offences. I do not think that the Minister had any means of knowing that they were not true at that stage. It is no discredit to him that he took his Director's advice in refusing access to the father of the child. However, he should have known that the Crown is supposed to be a perfect litigant. It is not supposed to manipulate the witnesses or to obstruct the witnesses of the other side. The Crown is not supposed to have a dirty tricks department in the matter of litigation.

In the end, on the advice of the independent children's counsel, the Crown relented and Doctor Le Page gave evidence. His evidence went further than the other doctors'. He demonstrated to the satisfaction of the judge that the child was highly intelligent and articulate when approached in the right way, and freely answered questions about the touching. He explained that it was assistance with going to the toilet, and that at no other time except for that had the father ever touched the child's genital region. The judge alluded to the question of the deception of the Minister when he said of the first examining medical officer's evidence that the report was:

> . . . misleading in that it stated that the child made affirmative allegations, whereas cross-examination revealed that this was not so. The child merely assented, sometimes by only a nod, to suggestions put to her in a leading manner by Doctor X. I find that the child did not whisper a description of what the husband was supposed to have done to her at all. Doctor Black thereby misled anybody reading her report including I suspect counsel for the wife and the Minister.

I accept, therefore, that when the Minister signed the order denying further access he had been deceived as to the validity of those allegations and by the nature of the medical reporting. I do not accept that, without question and without regard for the processes of a just trial and the proper testing of evidence, he should have been Ms Vardon's pawn in an attempt to fiddle the testimony of witnesses by obstructing access to the evidence on behalf of the applicant's choice of witnesses.

This is quite crook. I believe that it displays a bias on behalf of the Director of that department that raises the question of whether she is indeed appropriately employed there. I know that there are political loyalties and that there are traditional supports between Ministers and public servants. Ministers are always supposed to defend their public servants; politicans are not supposed to attack public servants, but when you have a matter like this where the Minister is a pawn, he must consider whether he wants to remain a pawn indefinitely or whether he wants to have an objective look at some of the biases in his department. As a result of this, the question of professionalism has been raised once more, as Dr Spiegel raised it when he said one needed to check the qualifications of the professionals who evaluate the case from the beginning.

Dr Le Page has indeed put pen to paper and written to the Australian Medical Association, although I think that writing to the Australian Medical Association is often a fairly impotent and ineffective exercise, because the Australian Medical Association does not have political or administrative power. However, he wrote to the Australian Medical Association, and in the strongest terms criticised the level of professional competence of medical officers at the Sexual Assault Referral Clinic. I read from his letter, as follows:

I am writing, on behalf of and in support of Mr ... and Mr ...—

There are a number of judgments that involve these issues. I am only dealing with one of them today. The letter continues:

[I submit] a formal complaint about the methodolgy of the medical members of the presently constituted Sexual Assault Referral Centre at the Queen Elizabeth Hospital to adequately diagnose and validate allegations of sexual abuse in young children. There are a significant number of cases where there is adequate corroborative evidence to substantiate allegations of sexual abuse.

However, there are a significant number of other cases in which validation skills and procedures are required beyond the expertise of the present members of the Sexual Assault Referral Centre before a definitive diagnosis is made and before the unfortunate chain of events are put into motion—

There are people in South Australia with far higher qualifications than a number of people who have been involved in this area of work up to date, and one is left with the impression almost that the department enjoys building bureaucracies. Where it does appoint people medically qualified, they are chosen more for their ideological commitment to this cause than for the depth of their experience or the height of their qualifications.

The Hon. C.J. Sumner: Does Ms Laidlaw agree with you on that?

The Hon. R.J. RITSON: I have not discussed this in detail with Ms Laidlaw. She has called for an inquiry into the method of evaluation. Ms Laidlaw has still waters which run very deep. My principal concern is with the passion to find abuse where it does not exist, and with instances as the inquiries unfold and the allegation looks more and more tenuous, of the desperate attempts to puff up the evidence to make it consistent, subconscious though they may be.

I do not believe that Dr A and Dr B consciously puffed up the evidence. In fact, when the Government psychiatrist in this case was cross-examined and the story that came out was so totally different from the first story, that psychiatrist in an apologetic way attempted to explain her own subconscious bias in terms of counter-transference because she did not like such offences of this kind and then explained to the judge why she would have subconsciously—not consciously—puffed up her evidence. There is a need for far more expert input at that level and in the field. I wonder whether we need the executive for the 13 committees reporting to council in the draft structure in what the Minister informed us today—the 13 committees and the 40 or 50 people on working parties, including the working party for sexual offenders treatment without the forensic psychiatrist anywhere near it.

There is the matter of the propogation of ideas that concerns me very much. It is this book *Child Sexual Abuse*, written by Freda Briggs. I presume she is a learned person because she holds a lecturing position, and the book describes her, amongst other things, as a consultant to the South Australian Education Department. The contents of most of the book one would find in learned literature. It has a bibliography, which is a mixture of learned works and works as learned as the *Australian Womens Weekly*, but it is not in fact a learned work. It is an eclectic gathering of other people's work: it contains no original research, and it is impossible to check it against the bibliography, because there is not a footnote, an *ibid* or an *ob. cit.* to be found in it.

It is a damaging book by virtue of its omission of certain caveats and cautions that appear in the parental literature. In particular, it propogates a series of signs and symptoms called the indicators of child abuse. They are divided into physical, which is subdivided into sexual and non-sexual, and behavioural. The book is not quite as systematic as that—that is my polishing up of the classification. It lists a number of signs and symptoms as indicators of child abuse.

Some of them include sore throats, sore bottoms, bed wetting, nightmares, headaches, withdrawal from friends and social contacts, truancy, and stealing. This is really where we get into intellectual difficulties because the crow principle comes in. The crow principle is that all crows are black; so, if that bird is black, it is a crow. Those signs and symptoms, which are published in the book, are not indicators of child abuse. They are indicators that the child is sick or that the child has been emotionally upset, and they really should be put as that, with the caveat that child abuse should be considered amongst the differential diagnosis.

It is a problem of differential diagnosis. If a child has recurrent sore throats, one ought to look down its mouth to see whether it has chronic tonsilitis before determining that it is fellatio. If a child has signs of emotional distress, such as bed wetting or precocious masturbation, one really should not assume immediately that it is sexual abuse and nothing else. That is a sign of emotional distress.

The Hon. C.J. Sumner interjecting:

The Hon. R.J. RITSON: The book suggests that strongly. It has none of the caveats that one finds in the parent literature. The parent literature is clear that these signs should not of themselves be taken as signs of child abuse. What is happening (and the Hon. Mr Sumner has to realise this because he is drafting legislation to give these people more powers) is that these are being taught as signs of child abuse, full stop. They will be taught in two-week training courses to field officers. That is why that silly woman when she was not asked for anything of this nature volunteered over the phone diagnosis of sex abuse in this particular case, and set that terrible destructive mess in action.

The judge in that case got not only to the point he needed to get; namely, finding on the balance of probabilities that sex abuse had not occurred: he then went on and referred to the evidence and said more than that. He found positively that it did not occur.

Later in the judgment, when he came to the real question of the form of access and the quarrelling, he said that no doubt the husband had been made very angry by this unjustified allegation. That is what some silly woman can do by jumping to conclusions over the telephone, having read that book.

The Hon. C.J. Sumner: Which silly woman?

The Hon. R.J. RITSON: You were not listening when I started off. You probably were out of the room when I was talking about this case being initiated by a woman who was asked over the telephone for advice about access and who volunteered to the wife the diagnosis of sexual abuse when the wife and the child had never raised it. She did more than that: she went and reported it to the DCW as a case of sexual abuse. If the Attorney thinks it is good enough for someone whose only training had been the management of a women's shelter to make a diagnosis and an allegation over the telephone to someone who is unknown to her—

The Hon. C.J. Sumner: Who is suggesting it?

The Hon. R.J. RITSON: What do you mean, 'Who is suggesting it?' It happened. You must have been out of the Chamber.

The Hon. C.J. Sumner: I asked you who the woman was. That is all I said, and you went on.

The Hon. R.J. RITSON: The woman was Caroline Woodman. If we are to have this sort of stuff, a lot of which has a truth basis with the warnings removed, taught to people who are going to be field workers with only a few weeks training, then all the money that the Minister might want to pour into this will go for nought. The accusations have profound consequences and, while sex abuse is a crime and ought, in many cases, to be punished, one wonders how useful the punishment mode is when people are simply looking for the blood of the father.

During the past few weeks I have been aware of an acknowledged, self-confessed offender who was in a very pathological family relationship where he had an incestuous relationship with a daughter who was blackmailing him. In fact, he could not come up with the money and sought help. The long arm of the law swung into action in the punishment mode so he forthwith killed himself. Perhaps that does not matter; perhaps the community will say that he was a terrible fellow and deserved to be dead.

Of course, the children will have a pathological bereavement over that about which I suppose not much can be done. However, I wonder whether it is always in the interests of families, including the best interests of children, if the punishment mode and the vengeance approach rather than the psychotherapeutic approach is taken. I am not saying that the department is at fault in that. I hope, particularly with the new structure, that where psychotherapeutic remedy is possible that approach will be taken.

The question of policy is very important. We get hung up on catch phrases like 'the interests of the child are paramount' without thinking about what they mean. I, too, think that the interests of the child are paramount. I think that the interests of the family as a whole are important. What the department has to determine is a policy which, on balance, is best. Presently courts determine criminality and punishment on the basis of proof beyond reasonable doubt, but there are many cases where that degree of proof cannot be obtained but where, on balance, that is, as likely as not the child is being abused.

In those cases the courts will support the actions which protect the child and which, if necessary, remove the perpetrator from access to the child. However, that does not seem to satisfy Ms Vardon because she feels that far less probability is sufficient for action and that the Family Court is particularly nasty in allowing continued access where the abuse is less than likely. I notice reported in the *Advertiser* a small article entitled 'Welfare Director retracts any Family Court slur'. In her enthusiasm Ms Vardon had accused the Family Court of being a court where incest was not a crime and, in order to avoid being in contempt of that court, she retracted her statement.

Obviously, one of the principles that is burning in her bosom is the need to protect children from slight probabilities. I think that the Minister of Community Welfare has to think carefully about this. If you determine—

The Hon. C.J. Sumner interjecting:

The Hon. R.J. RITSON: I will not respond to that interjection because it is a red herring and a different question. I am not talking about crime. I am talking about the level of probability at which intervention should occur, and I am saying that at present, leaving aside criminality, when the DCW intervenes the courts tend to look at the probability of the allegation being correct—not requiring absolute proof but probability. Presently the Family Court decides on the balance of probability, and that has caused Ms Vardon to spit chips because she says that that lets half of them off.

Members interjecting:

The Hon. R.J. RITSON: Ms President, I seek the protection of the Chair. May I ask for your protection, because I wish to continue speaking and not respond to interjections.

The PRESIDENT: Order! There is no obligation to respond to interjections.

The Hon. R.J. RITSON: Ms President, with great respect, just because the Hon. Mr Davis is not interjecting does not mean that I am not entitled to have interjections controlled from time to time by the Chair. It is important to consider the effect of the overall policy of intervention. As I was saying, the department has been upset that the Family Court tends not to sanction intervention or deny access where abuse is less likely than not. This does not please the department, which still considers it possible and wants access denied or other intervention with a lesser degree of probability than that on which the courts are currently determining the issue.

One then has to ask, if that level of intervention is reduced to a threshold of, say, a 10 per cent or 20 per cent likelihood that the child is abused, whether it is a good thing to allow the allegations then to go to the point of internal examinations of the 80 per cent or 90 per cent of children who have not been abused, with the resultant increase to the marriage break-up rates (because the false allegations are very potent causes of marriage break-ups) in the families of children who have not been abused. That question requires a good deal of scientific consideration, thought and compassion. I do not know the answer. If the level of intervention is to be a good deal lower than the balance of probabilities, where is the research indicating what happens to those children who are unnecessarily examined and to those children whose parents split up as a result of false allegations?

This is the tip of an iceberg. The techniques that are being used here to investigate the allegations are basically inexpert. There is a call for proper expertise along the lines of protocol as carried out at the Child Psychiatry Department of the Great Ormond Street Clinic for Sick Children, which is perhaps the world leader in this field. The department appears to be shutting out that sort of level of expert input and replacing it with pressure cooker courses for people with short diplomas. The Minister, rather than being a pawn for this sort of thing and things like Ms Vardon's attempt to manipulate the evidence, ought really to go a good way beyond his immediate sources of advice and look to sources of expertise such as the London clinics of which I spoke—clinics which, incidentally, are quite horrified at the techniques that have given rise to the disputes in Britain.

I thank members for their attention on this point. I will be watching with great interest to see the sorts of expertise and the sorts of practices that are collected. I know that the judges are concerned about this whole thing. They cannot easily speak for themselves. They know the fertile ground that exists when custody disputes are present. They know the destructiveness of false allegations. They believe in the proper testing of evidence, even if Ms Vardon does not, and the Attorney-General must have great concern about this. I do not think he can sit back flippantly and say, 'What Cornwall and his advisers are doing is perfectly all right—it must be all right because they are members of the Labor Party,' or whatever. He has to consider his responsibility as the chief officer in charge of the instruments of justice.

A couple of draft Bills have been floating around the community. They were supposed to have been in confi-

dence, but were so controversial that they seemed to multiply—whether or not due to sexual abuse, I do not know. However, they seem to have photocopied themselves all over the place. When the Attorney introduces Bills to amend the law in this respect, he must understand two things: first, that he is expertly trained in the mechanics of the law, the rules of evidence and the rules of court, and he knows how they function. Secondly, he is totally untrained in the psychosocial field, the field in which the effect of these laws will be actioned, and I think he needs to have a talk with his colleague to ensure that any new powers will be used in accordance with truly expert protocol and not with the sort of passion that we have had in the past.

I am sure that the Hon. Ms Laidlaw will look, too, to make sure that expenditure in this field is directed at the hiring of proper expertise in the field and not at expenditure on the committee ridden sort of pyramid that is being built. I support the motion that the—

The Hon. C.J. Sumner: You don't approve of that book? Is that right?

The Hon. R.J. RITSON: I think it is an extremely dangerous book because it contains no new knowledge. It is impossible to check which parts of the bibliography the various chapters are taken from, because it does not tell you.

The Hon. C.J. Sumner: What position does she hold?

The Hon. R.J. RITSON: It is more a pamphlet than a book.

The Hon. C.J. Sumner: That was not the question I asked. What position does she hold?

The Hon. R.J. RITSON: I read this out earlier, Minister, really. She is a principal lecturer in early childhood education and family studies at the South Australian College of Advanced Socialism. She has extensive experience in working with abused children as a policewoman in London.

The Hon. C.J. Sumner: You think that book should not have been written?

The Hon. R.J. RITSON: I do, actually, yes. I think it is dangerous, because it contains no new knowledge. There is no original research by Freda Briggs in here. It has eclectically quasi-plagiarised the learned journals, but it has left out the important caveats. It has a list of signs of sex abuse which are not signs of sex abuse at all; they are signs of illness—and sex abuse is one of the differential diagnoses. It is a pamphlet that will end up in the hands of teachers and all sorts of people without fundamental differential diagnostic ability. As I say, it carefully omits the caveats as to interpretation and the weight to place on signs that exist in the parent literature. I was really quite prepared to stop here, but I have a number of journals on this issue. Would you like me to spend half an hour teaching you a little about it?

The Hon. C.J. Sumner: There's no need for that. You're making the speech.

The Hon. R.J. RITSON: Well, you are making the interjections.

The PRESIDENT: To which you have no need to respond if you do not wish.

The Hon. R.J. RITSON: Madam Chair, thank you for that comfort. I will make a bald statement. There is nothing in this book that is not contained in more learned articles, and the more learned articles have more correct methods of interpretation. This is a pamphlet which is very dangerous because it fails to teach the reader of the limitations of interpreting it.

The Hon. C.J. Sumner: Are you saying that that book could do more harm than good?

The Hon. R.J. RITSON: Yes, I am saying that there are much better things. In fact, a senior professional told me that he thought it ought to be burnt. I would never burn a book because I am not afraid to argue about its contents.

The Hon. C.J. Sumner: You are saying that it should not be distributed.

The Hon. R.J. RITSON: I am saying that, if that is to be the basis of training—if people are to be taught that the things that are listed there as signs of sex abuse *per se* are in fact signs of sex abuse—that is very dangerous and ought not to occur.

The Hon. C.J. Sumner: Are you saying that the author does not have the qualification to write that book?

The Hon. R.J. RITSON: I never said that at all.

The Hon. C.J. Sumner interjecting:

The Hon. R.J. RITSON: I am not saying that at all. When you were not in the Chamber, I said that I presumed that because of her lectureship position she has at least some post-graduate qualification with a unit of psychology.

The Hon. C.J. Sumner: So she has the qualifications, apparently?

The Hon. R.J. RITSON: I do not know. Her qualifications are not mentioned in the book. I grant her the credit of having qualifications that she is too modest to put after her name in the book. I assume that they are tertiary post graduate qualifications, even though nowhere in the book that I can find does it give the academic qualifications. I am saying that the book is not a learned work: it is a gathering of selected parts of learned works, leaving out some important warnings and cautions.

The Hon. C.J. Sumner: Is it biased?

The Hon. R.J. RITSON: Yes, it is biased, subconsciously. I grant the author the credit that there is an enormous amount of subconscious bias here. If this book is to be used as the basis of training, it is dangerous.

The Hon. C.J. Sumner: What do you think it should be used for? Do you say it should be of no use to anyone?

The Hon. R.J. RITSON: I am saying that its dangers are greater than its value and that, if people are to be trained, they ought seriously to have the educational capacity to be trained from the patent learned literature which contains examples that are testable. Parent learned literature contains reports of cases and proper references to other journals. It weighs the arguments of academics with competing views. However, this book does nothing. It is a series of bald assertions that are unsupported by facts. I am not saying that it is all wrong. I am saying that it has one danger, and that is that it carefully omits a lot of the caveats about the value of some of the signs of sexual abuse—caveats which exist in the more learned literature.

Quite frankly, I do not think that if people are to be trained as the new work force in this field, they will be so dumb that they are not capable of digesting a larger quantity of more learned literature. I do not think it has to be turned into a pamphlet for the sort of people who should be charged with doing this work. If those people are not capable of tertiary studies and the scientific method of learning and if they need a pamphlet, that augurs very badly for the qualification of people who will be recruited into this new structure.

I support the proposition that the Address in Reply as read be adopted, and I hope that the Hon. the Attorney-General, as custodian of truth and justice in this field, if he has any anxieties about this whole thing, will look at it carefully, openly and honestly and not from a sort of reactionary 'defend the Government' view. There is no politics in this. It is not a question of trying to one up the Government. It is a question of trying to be right. Being wrong in

this matter—being wrong with unjustified accusations—is as desctructive to the children who are not abused but who are investigated.

At some stage we have to get a proper balance, and a proper balance will not be achieved through abusive warfare in the courts by Sue Vardon because they will not agree with her. A balance will not be obtained by Sue Vardon fiddling the evidence. I commend the motion to the House.

The Hon. M.S. FELEPPA: In supporting the motion I wish to, first, thank His Excellency for the address with which he opened the third session of this Parliament. I also join His Excellency in expressing my deep condolences to the relatives of the late Don Simmons and Ron Loveday. On this occasion I would like to formally place on record my congratulations to my colleague who sits on my left, the Hon. Trevor Crothers, on his election to this Parliament and for his address in reply speech.

This afternoon I will endeavour to address briefly some of the issues which have been widely debated and canvassed amongst our community in the past 12 months and which unfortunately are still of great concern Australia-wide. First, let me draw your attention Madam President to the attention of members present and, through the media, the public at large, to a secret group within our society which is lurking at the far right of the political spectrum in this country. I refer, of course, to the New Right, a group which has already been mentioned in the Address in Reply speech by the Hon. George Weatherill. This group has an insidious influence, which was felt during the recent Federal election, and those largely faceless members will, no doubt, be attempting to further promote their own greedy ambitions from behind the thin cloak of the remnants of the Federal Liberal Party. This is an intriguing group, small in number at present, but seemingly large in influence, and one should not feel at all complacent about the presence of such people on the fringes of our political system.

The New Right has proliferated and beefed up their activities for a long time, and there is a movement of ideas linked to a wide international push for the deregulation propagated by a high powered, intellectual and talented publicist. One of its powerful proponents in this country has been the now Senator John Stone, the former Secretary of the Federal Treasury. These people have clearly demonstrated that they do not have the courage to put their economic theories to the test by actually standing for Parliament and having to account to the people or to explain their ideas to the public in a democratic way. Rather, they are content to lurk in the shadow of the Liberal Party and let the Liberal Party do the dirty work for them, carrying out the orders they have perhaps received from the major boardrooms of this country or perhaps the diningroom of the Melbourne Club.

Members in this Chamber would well remember a time, not so many years ago, when it was my Party, the Australian Labor Party, which was regularly smeared by our opponents as being a Party run by faceless men. It is interesting to see how times have changed in a very few years; how the political spectrum has swung to the point where it is now the Australian Labor Party that is widely recognised, accepted by the electorate at large as the natural Party to rule this country. It is now the divided remnants of the great Liberal Party of the Menzies era which is now under seige from the dark and mysterious forces beyond the reach of the voter, because these people place themselves beyond the reach of the voter. They are the unelected masters of the dry faction of the Liberal Party who see themselves as the divine rulers of this country. They are the people who are prepared to pull the strings in that old fashioned, archaic, and outmoded wing of the Liberal Party. If anything can be said in defence of those members of Parliament over whom the New Right is trying to hold control, at least they are the elected representatives of the people.

It is highly reprehensible that these shady puppeteers should have any influence at all in our political system, and it is my sincere hope that the Australian people will seek them out and ensure that any influence they might have is quickly circumvented. It is an issue of great concern to me because it confronts those of us who are members of Australian Parliaments as well as those voters who elected us to these positions, and despite the often cynical comments in a section of the media to the contrary, I believe that a member of Parliament is an honourable representative of the community, and a person who is put in that position should, at all costs, defend the freedom of our society and be able to speak out against all that which is considered to be unfair and unjust.

On the basis of that belief, I decided to forward some comments beginning with the New Right. It was some time ago when I heard on the radio an academic passionately debating whether this Chamber and its Federal counterpart had the same relevance to the people as the other place. This is a sort of dry debate which certainly, to my mind, does not win any listeners, indulged in by another of our prominent academics, Katherine West. I hesitate this afternoon to spend very much time discussing Ms West, because I do not think it should fall on me to be her publicist, but I think that it is right to draw the attention of the honourable members to the fact that she is one of those people who write and broadcast under the mantle of being an independent academic, when, in reality, she is a leading public representative and the spokesperson of the New Right. How clever these people think they are, writing with apparent concern about the people they call the new poor, the forgotten people, when all the time they are doing the bidding of their masters who still believe that they are born to rule this country at any cost.

Those people regard industrial democracy, any form of democracy, as quite foreign and dangerous to their personal ambitions. At the same time I can assure members that I am not advocating any form of witch-hunt of Australian academia, but it is necessary for the public to know just who puts forward these ideas on radio and television and in newspapers. In fact, I wondered for one moment whether it would be going too far for the news media to annotate bylines in some appropriate way, such as that Miss West is a prominent member of the New Right, just to place her writings into some sort of perspective. I do not see that the media could object to such an idea.

However, I am not suggesting that such a move should be all one way. I am sure that the academics from our side of the political spectrum who supplement their income by writing occasional articles and commentaries would have no problem with having their political affiliations known publicly. In fact, I venture to suggest that most of them are far more readily identifiable than their right wing counterparts. I believe it is neither unfair nor unreasonable that, when a person writes a political commentary or makes a political broadcast, the political affiliations of that person should be clearly identifiable. It is simply not enough that the byline identify the writer as, for example, being affiliated with the Centre of Policy Studies at Monash University. The reader, in my humble view, needs to know just what the centre is and where it stands within the framework of Australian political life. To deny this basic and fundamental access to information is to perpetuate myths and misinfor-

mation within our political system generally. By all means, let us encourage a political debate, but let us come out in the open about it so that the voters, who hold the ultimate political power in our country, can fully judge who is saying what and why.

In my view, the electorate needs this full range of information to be fully informed and to make the most intelligent decision for the future. If we do not have full information on such things, we find ourselves in a situation where half truths abound, and this certainly plays into the hands of these shadow power brokers in such groups as the New Right, which is the unelected force behind those who would sit on the throne, as I said before, at any cost. In fact, so shadowy has their presence become that, despite the attempts of the media to wheedle them out and put them on display, both the origins of the New Right and the exact meaning of the term have become clouded in obscurity. I have taken a particular interest in the emergence of this insidious group and the publicity it has attracted over the past 12 months or so, although we all know that its origins go back much further than that.

In the past 12 months I have collected dozens and dozens of newspaper cuttings, and one of the aspects about the activities of the New Right that troubles me most is the divisiveness that it introduces into the Australian community. This divisiveness is insidious and it can certainly grow almost imperceptibly. It is that type of divisiveness which is exemplified by those who style themselves on the National Front in Britain and who are, unfortunately, responsible for the racist graffiti which, sadly, has become more apparent and more evident, even in our beautiful city of Adelaide, in the past 12 months or so. I am sure that most members in this Chamber would agree with me that one of the national attributes we must cherish is our belief in giving the other bloke a fair go, and yet that is just what this current ugliness on the fringes of our political life is aimed at destroying. As we all know, the New Right incorporates a grab-bag of fringe groups. Some of them are rich and powerful, some of them are academics, and some of them are known to be racist, but all of them have the common goal of robbing the honest Australian men and women of the right to a fair go.

The Hon. M.B. Cameron interjecting:

The Hon. M.S. FELEPPA: I will come to that point later. We see beer commercials on the television that try to instil in us the belief that drinking a certain kind of beer will give us membership of a particular social group. What about the captain of industry who reaps in the millions of dollars of profit from this endeavour? While the Federal Government and State Governments are trying their hardest to educate the people of this country that times are tough and that we all have to shoulder a fair share of the burden of getting the economy back on the right path, what does this man do? He tells the rest of the world that Australia is the last country on earth in which to invest. I believe that the best answer to this kind of thinking came some time ago from the former Premier of New South Wales, Mr Neville Wran who, on 25 October last in a Curtin Memorial Lecture at the University of Western Australia, was quoted by the *Sydney Morning Herald* as follows:

> I certainly don't underestimate the difficulty for Labor in asking the work force to take a wage cut when there have never been so many overnight millionaires, when the stock exchange soars to record levels [and] company after company chalks up record profits' he said.
>
> I wouldn't be surprised if appeals to patriotism meet a certain cynicism when hard-nosed men of business who have made billions out of Australia—people like Liberal Party treasurer (and Elders chief) John Elliott—tell the world that Australia is the last place in which to invest.
>
> 'Well I have a message for Mr Elliott and his ilk, whether they call themselves the New Right or just plain, die-hard, old reactionaries.
>
> 'Most Australians have had a gutful of people making their millions in Australia, taking it overseas to make more millions and then telling the rest of the world what a bunch of bludgers Australians are.

I would be interested to find out how many members in this Chamber disagree with those sentiments. The most insidious and dangerous aspect of the New Right is that it is not just an extenstion of the old debate about the small liberals against the big liberals; it is more than just an extension of the Party's own internal faction fighting which has been such a public and open running sore for so long.

The real danger of the New Right lies almost entirely in its hidden agenda for undemocratic change to the Australian way of life. If the New Right was fighting for change out in the open, in the real world of the political arena, it would be more tolerable even if it were tedious. However, this game is not being played in that way. It is being played in the back rooms, in secret meetings, with deals and counter deals. It is a dangerous and deadly game. The philosophies that are being peddled by these power dealers—these pushers—are being sold by those who will benefit most and directly. It is a cruel and manipulative push for power purely for the sake of power, money and influence. The good of the nation and of honest working Australians does not come into the thinking of this selfish group. These philosophies are finding their way into everyday life through trumped up industrial disputes and provocative, counter productive and deliberate stand-offs and stand-downs by manufacturers at places such as Robe River.

My colleague in another place, the Minister of Labour (Hon. Frank Blevins), quickly identified these as the central elements of the tactics of the New Right. He was quoted in the *News* of 6 October last year as describing the New Right members as confrontationist and extremist and only interested in their own selfish interests and the pursuit of power. He went on to say that, with a true confrontationist approach and a policy of total deregulation of the labour market, the New Right appeared determined to destroy the excellent industrial relations climate that had developed in the past few years. Mr Blevins added:

> This is a recipe for disaster which promotes the return to the sweat shop standards of the nineteenth century with resulting industrial chaos.

I draw the attention of members to those remarks. I ask that they be noted very carefully because South Australia has more to lose than any other State in Australia, especially because this State has by far the best industrial relations record in the country. With important projects such as the submarine construction project coming here, South Australia cannot afford to stand by and watch the New Right, through its shadowy and underhanded tactics, destroy the best industrial relations standards in Australia. Those standards have played a major role in assisting the Premier, his Government and its allies to win the submarine project for this State. Too much is at stake in South Australia to sit back and allow this hard work to be destroyed through the confrontationist tactics of this radical nonsense minority. I contend that there is often a fine line between confrontation and standover tactics.

When confrontation is sought and brought about regardless of whether another tactic might avert it, one is dangerously close to the politics of standovers. It is perhaps this element of the New Right style that will be its downfall ultimately, because I am sure that the vast majority of Australians will not allow themselves to be stood over. Another aspect of the New Right that is deeply disturbing is its doctrinaire disregard for reality. The New Right talks

about freedom but what its representatives really mean is freedom to make great profits at the expense of the Australian workers. Free trade, free market competition and deregulation are among its catchcries. That adds up to the freedom for a few people to make a lot of money without restriction. These people do not mean social justice, equality or compassion. In fact, to most people, their policy represents a loss of freedom—the freedom to join a trade union—and a loss of personal dignity.

The New Right talks also about flat tax, and what a con job this is. Thank goodness that, during the last Federal election, the Australian people saw through this political and economic nonsense. Lower income families would be far worse off and perhaps paying a consumption tax to finance some of the other follies of these economic lunatics. Three-quarters of all taxpayers would be paying more under flat tax and those taxpayers are low income earners. The rich would get richer and the poor would be worse off. The New Right also talks about a new way of organising award practices but that is another example of the way its followers live in cloud cuckoo land because they appear to be right out of touch with the reality of the sophisticated Australian industrial relations system. It is far from suggesting positive steps to bring the country close together and to bring about improvements in industrial relations in areas where they are needed.

The New Right suggests that the entire structure should be turned around and that the lowest common denominator of industrial anarchy should be foisted on all Australian workers. There would be no unions, no right to strike, no maternity leave, no long service leave, cuts in annual leave and leave loading, the abolition of unemployment benefit, fines for people speaking in favour of joining a union and a new wage of just $171.20, which was mentioned by the Hon. George Weatherill yesterday. That is the figure that Andrew Hay of the Australian Federation of Employers recently argued for in the Industrial Commission. I ask members to imagine anyone surviving—not living—in the 1980s on that kind of wage. Mr Hay himself would perhaps spend more than that on lunch without batting an eyelid. To suggest that that amount is sufficient for a week's work is an obscenity and he should be condemned for what he has proposed.

Members of the New Right continue to show themselves as being right out of touch with the reality of our industrial society, although we all know that many of their leaders are themselves industrialists. It is so obvious that they do not spend any time at all on the shop floor listening to the people whose sweat and labour usually makes them millions of dollars. Yet their influence and ambitions are not confined to the manufacturing sector alone. It hardly needs to be stated that they have found powerful allies in the farming sector. In fact, one of their leading lights is the President of the National Farmers Federation and the political aspirant for any right wing Party that will give him a seat, Mr Ian McLachlan. My colleague in this Chamber, the Hon. Terry Roberts, promptly drew attention to this alliance 12 months ago, when he said:

> International trade is not free. The NFF and other free traders are living in fairyland. We have to deal with the real world—a world where strong international trading blocs are the reality, where subsidised and heavily protected exports are dumped on the world market in direct competition with our produce, depressing commodity prices and driving Australia to the wall. . . . Labor is offering a unified approach to Australia's difficulties. Recognising the problem is intellectually easy, but developing long-term strategies to overcome these difficulties is difficult. It needs a united and cooperative approach, not the confrontationist approach by the NFF.

Mr McLaughlin and his rural power base are certainly hell bent on this confrontationist approach, and its divisive policy will, in my view, only have a negative impact on the vulnerable members of our society.

It is interesting to note that for a long period in Australian politics it has been the Left—and now I come to the point that Mr Cameron suggested—that has been accused of confrontationist tactics. Now it is the New Right that has to wear that label, and it is probably true that the Left has been historically the confrontationist wing of the Australian political spectrum. Let us look for a moment at the base from which that confrontation is forthcoming. It is a history of confrontation based on taking up the case of the battler and the underdog—quite the reverse of the motives which now have put the New Right under fire.

The Left has always been the champion of the disadvantaged, the minority groups, the migrants—like myself—and the economically powerless in our society. It has achieved a great deal for these people, and I suggest to the more reasonable members of the Liberal Party in this Council and elsewhere in this country that they would have to agree that, over the long term, the gains that have been won by the Left, the unions and the Labor Party, have improved the standard of living of the average Australian and have therefore resulted in a better and fairer country all around.

We will never agree on all points of policy; neither should we do so. But, we should agree on that basic and historic fact. By and large the Left has always won its advances through the true democratic process, and no one can deny that. Instead, the New Right is quite a different animal, a different group. It has no concern for right and wrong, compassion or equity, as I said before. Instead, it is intent on entrenching privilege, destroying equality and protecting its own interests regardless of any principles of democracy.

On 29 August last year the Prime Minister made his well-known famous assessment of the New Right during an interview on radio 3AK in Melbourne. He defined them as being 'political troglodytes, economic lunatics and a bunch of theoretical irrelevancies, but a very dangerous group'. He went on to state:

> They are short-sighted if they know neither their current economics nor their history; nor do they have any understanding of their own country. They'll be treated by the Australian business community, and I believe by their own overseas associates, as a dangerous irrelevancy which really should be ignored as far as possible, to the extent that they have to be exposed . . .

It is important that they are exposed, so that ordinary honest Australians are not duped by their ravings because, unfortunately for the Liberal Party in South Australia and nationally, these people, whom the Prime Minister described as economic lunatics, are releasing their poison through that now destabilised Party. In the process, they are further subverting that Party to their own opportunist hands. They are the jackals of politics now feeding off the carcass of the remnants of the Federal Liberal Party.

What an amazing scenario we had in the weeks and months leading up to the federal election campaign, with all the factions of the coalition Parties laid bare for all Australians to see in total disunity. Even the most astute political analyst found it hard to keep track of how many factions and groupings there were and who was on whose side on any day at that time.

There have been occasions in the past when our Party—my Party—has been held up to public ridicule for having different factions but I put it to you, Madam President, and to members of this Council, that the Labor Party has never in its long history been in anything vaguely approaching the state in which the Opposition Parties found themselves immediately preceding the election campaign. I said 'imme-

diately preceding' deliberately, because all the dirt was quickly and ineffectively swept under the mat once it was realised that they had to face the public, the people. Where were the members of the New Right during the election campaign? It is obvious why they are also known as 'dry'. They dried up quick smart when there was the first indication or suggestion of public scrutiny of their activities.

The shady figures of that group dissolved into thin air, leaving the hapless leader of the Federal Party alone. No wonder the ALP, the South Australian UTLC and the ACTU were critical of this divisive internal pressure group making a laughing stock of a long tradition of Liberal philosophy.

Despite the obvious differences between the Parties, there is some traditional honour between the professional elected politicians, but there can be no honour where these people are concerned because they chose to adopt the role of the mysterious manipulators who want the best of both worlds—political power without the risk of public accountability. No wonder the former Liberal Prime Minister (Rt Hon. Malcolm Fraser) recently spoke publicly and criticised the New Right. During delivery of his speech at the Eleventh Archbishop Mannix Memorial Lecture on 29 July 1987 at Melbourne University—and I will quote from the text of his speech which I was privileged to receive—he stated:

> The Liberal Party must always reject attempts to factionalise the Party, either by the Left or the Right. Whatever merit may be found in some of the arguments of the New Right, their attempts to gain control of the Party must be rejected, as they have been hitherto. They reflect a narrow ideology, wealth and selfishness in public policy.

If anyone has any doubts about the destabilising effect of the New Right on the Liberal Party, they need look no further than the comments of the former South Australian Premier, Mr Hall, who was quoted by Helen Yates in the *News* in January, and in part this is what he said:

> The New Right and its supporters should examine the Australian electorate and its political tastes. The Australian electorate does not like extremes and it does not like divided Parties. They could dwell even a little longer on the slopes to perhaps justify their actions in risking ripping the guts out of the Liberal Party with a butcher's knife of extremes.

In even stronger language, Mr Hall's colleague, Mr Ian Macphee, on the same subject, said:

> ... The New Right was 'totally at variance' with the Liberal movement and the Australian experience. Advocates of this approach to managing our society would have us turn back the clock and introduce a radical *laissez faire* approach to economic matters.

Mr Macphee could wisely see the writing on the wall, and that view is similar to material recently published by the United Trades and Labor Council in South Australia which states:

> The New Right aims to send us hurtling back through time into the 19th century.

And that is right. A perusal of the list will tell us that. Previously I indicated that these people were economic Luddites and that their presence could not be tolerated in the Australian political community.

There are still people in this country who perhaps think that criticism of the New Right is simply ALP hysteria but, when people like Mr Macphee and Mr Steele Hall make statements like that, and Mr Steele Hall further suggests that the destabilising statements over the Liberal leadership came from the leaders themselves in an attempt to isolate the wets and identify them as disloyal, I suggest that this situation is so bizarre and foreign to Australian political experience as to be comparable to the dirty tricks of Richard Nixon's campaign. This beats any scenario which even the ALP could ever dream up. In fact, even those tacticians like Senator Richardson and the former Senator Withers from the Liberal Party must have been left speechless with admiration and breathless with laughter. Unfortunately for the Liberal Party—I have some sympathy for the problems that it is experiencing—it is too sad for the laughter to continue. I am sure that Opposition members in this Chamber would be most concerned about what is happening to their Party nationally. I am sure that they are concerned about what happened to Mr Macphee when he was carpeted for having his say during the factional battle months ago. Let us look at what he said.

At a conference of Young Liberals held in Melbourne at the end of last year he said that the New Right advocated greed and selfishness. He said that the movement's policies were the politics of despair and attacked libertarianism. We all know what happened to Mr Macphee after he stood, having said what he felt it was his duty to say. Like their Federal counterparts, the South Australian Liberals seem to be in similar disarray and without a single policy on the issue.

Let me remind Opposition members in this Chamber that as long ago as September 1986 the State Leader of the Opposition (Mr Olsen) was reported as supporting the New Right at a meeting of the Stirling Chamber of Commerce. The *Advertiser* of 9 September contained the following report of what he said:

> I make this historical point not to seek any particular credit but merely to expose those who claim the emergence of the so-called New Right lacks consistency as well as credibility.
>
> I believe much of what it is advocating is right—in the sense of being appropriate rather than politically extreme. I hope advocates of this cause will not be intimidated by insult, will not be deflected by desperate Government Ministers.

I am not a Government Minister, nor am I desperate. However, I hope that I am able to contribute to the deflection of the crazy policies being put forward by the New Right. It will be very interesting to see how closely Mr Olsen continues to identify himself with the policy of the New Right following the failure of Mr Howard and his cronies in that faction to gain the support of the Australian people during the last Federal election campaign. One can only hope that they will all see the writing on the wall, like Mr Macphee in relation to this form of extremism, and collectively endeavour to put their heads together.

At this point I will endeavour to discuss some of the ugly parts of the hidden agenda of the New Right. This is where we get into the real cloak and dagger stuff. As I said earlier, the New Right will never put its policy directly to the Australian public. It will try to wheedle them or sneak them through the back door, as it did on 11 July, when it was tossed out on its ear and the Hawke Government was returned in an historic poll with an increased majority. However, it is the preferred tactic of the New Right to pressure the Liberal Party to adopt its policies, and perhaps to pressure even the Federal Labor Government to accommodate its demands for deregulation, lower wages, bigger profits, and lower business taxes. The New Right is completely unaccountable and totally ruthless.

It operates through shadowy groups and alleged 'think tanks'—faceless individuals who are prepared for propaganda purposes to give millions of dollars to schools in advertising to push its policies to governments. These are the fears of responsible organisations like the State United Trades and Labor Council. A reasonable guide of the hidden agenda of the New Right appeared in the *Sunday Mail* of 14 September 1986 in an article syndicated to various newspapers from the Canberra based journalist Fia Cummings. A leading Melbourne consultant was reported to have drawn up, for the Perth based Australian Institute of Public Policy, a budget which it would have its adherents implement in

the hopeful unlikely eventuality that it would ever be able to do so.

Some of the leading figures supporting the New Right and their super-economic measures are Charles Copeman, Chief Executive of Peko-Wallsend; Ian McLachlan, President, National Farmers Federation; John Stone, a former Treasurer and now Senator; Hugh Morgan, boss of Western Mining; Andrew Hay, Chairman of the Australian Federation of Employees and the President of the Melbourne Chamber of Commerce; Katharine West, political scientist and writer, Melbourne University; and Gerard Henderson, senior private secretary to the Federal Leader of the Liberal Party, Mr Howard.

These are the people who form that great group of great minds, a coterie of thinkers who could turn their undoubted intelligence to making a fairer and better Australia and a brighter future for all. Instead, let us look at some of the ideas on the hidden agenda that they proposed: an end to indexation of pensions and benefits; the assets test to remain; family allowances to be taxed; disability pensions to be taxed; abolition of the Veterans Affairs Department; abolition of bulk billing in Medicare . . . and a cut in the rebate from 85 per cent to 60 per cent; the subsidy on most prescription drugs to end; tertiary fees of $1 000 a year for most courses; a 10 per cent cut in grants for advanced education; a 7.5 per cent cut in grants for technical and further education; a halving of grants to the States for housing; abolition of the first home owner scheme and the Federal Department for Housing; halving of spending on road building; cuts in aid to a wide range of industries—including textiles and tourism; the removal of tax incentives for research and technology in industry; abolition of Legal Aid; the closure of all job creation and training programs; a halving of local government grants; and the abolition of the Aboriginal Affairs Department.

These are just some of the measures that we would all have to look forward to under a New Right Liberal coalition Government. Thank goodness for the wisdom of the Australian electorate in tossing out this nonsense on 11 July. Such a strategy would savagely penalise virtually every member of our community except, of course, the wealthy.

The Anglican Archdeacon of Melbourne, Archdeacon Alan Nichols, has warned against the allegedly pro-family stance of the New Right. In Adelaide last October he said that, in reality, the New Right was '. . . only in favour of self-sufficient families not dependent on welfare assistance. They did not favour a fair distribution of income from one family to another.' However, I would go further than that and say that the New Right must sound attractive to families which consist of a well paid husband, a wife and two children living comfortably together in the eastern suburbs. However, in Australia in the twentieth century most family groups are not like that and the New Right poses a very real threat to the welfare of all members of all family groups who do not conform to what it considers to be 'normal'.

For the single parent who cannot find work or whose children are too young, it will mean a loss of a supporting benefit and many other support services. For the single parent who works, the loss of child-care assistance would make it almost impossible to live on a low wage. Families with both parents working would have to pay huge child-care bills. Children who could not find a job would not receive unemployment benefits, which would be an added burden to many families. In fact, for all except the well off, the effect would be poverty.

It is no coincidence that the New Right is allied with the high profile, rich, powerful and socially fundamentalist members of our society who, under any definition, would be called hard-line conservatives. They are being increasingly linked with socially immoral and irresponsible behaviour. I speak as a person who has lived in more than one country, but I am concerned about the problems facing the society in which I am happy to live at the moment.

When time permits, my reading covers a wide range of topics from newspapers, periodicals and books. Some time ago I read an article published in the Melbourne *Age* of 10 October 1986 written by a tutor in economic history whose considered view helped to summarise the emergence of Australia's New Right. The article might sound alarming but, on reflection, it bears an ominous warning for the so-called maturing society. The article, written by Geoff Spenceley, Senior Tutor in economic history at Monash University, states:

> The New Right cannot be readily defined as fascist. They work within the legal-democratic framework which forms the basis of our society. They do not adhere to the leadership principle, not to physical violence as a legitimate means to their ends, nor do they have militaristic or aggressively imperialistic intentions. All of the above are crucial features of any general definition of fascism and the New Right clearly does not fit the bill.
>
> Yet some extraordinary useful insights into the nature of the New Right can be raised by considering it in the context of fascism, for whilst the New Right is not fascism in any strict sense of the word, it does have some strikingly disturbing similarities in its social composition, its outlook and in the basis of its appeal, and the dangers which these pose to our society should not be taken lightly.
>
> In 1933 nobody in Germany had a clear idea of what the Nazi Party would do in Germany, and while the parallel cannot and must not be drawn too closely, we all have a right to be seriously concerned as to just how far an internally contradictory, yet self-confident and energetic movement, might be prepared to go; and we should be asking whether we want to take the risk.

I ask honourable members to remember what I have already quoted about the New Right's economic prescriptions and social policies, and I wish to conclude with one additional quotation from Mr Spenceley's article:

> Are the New Right proposing a return to the welfare provisions endured during the depression of the 1930s, when hundreds of thousands were left to the cool hand of charity? Are they planning simultaneously to cut or abolish the dole and reduce welfare? Because if they are, then they are prescribing a social calamity of immense proportions. Do the New Right wish to deregulate all labor markets so that, for example, we return to the competitive casual labour markets?
>
> How far do the New Right wish to turn back the clock of social reform? We simply do not know enough to be sure, but the threat should be sufficient for most of us who have a social conscience to feel distinctly uneasy.

Certainly, the words of Mr Spenceley seem to be correct. There seems to be little difference between the politics of the New Right and those of the Liberal Party, except that on a few occasions the Liberal Party has been prepared to throw the working man and his family an odd bone or two if it thought it could attract a few votes. It is ironic to note that even this technique, translated into the promise of $26 a week in tax cuts, was not enough to save Mr Howard during the last election.

What a stark constrast exists between the policies of these two organisations and those of the Labor Party which, since its inception, has formulated and instigated policies to ensure that every person, as we say, is given a fair go. The Labor Party has always endeavoured to assist and encourage all the people of Australia, not just the favoured few—as is the case with the other two previously named organisations. Further, the proof of the Labor Party's policies can be seen by the improved standard of living of people around the State and around Australia, as could be expected when a political Party makes the welfare of the nation and its people its top priority. To conclude on this topic, I would be very pleased if it could be proved to me beyond all reasonable

doubt that my fears about the New Right are totally unfounded.

I will now touch briefly on the second issue. I was inspired by the motion moved by the Hon. Diana Laidlaw to oppose the introduction of the ID card in this country. Debate has already raged around Australia for many months on this subject, and that is as it should be in a democratic society. Similar debate was heard in Europe (and I may be speaking here with a European mentality) and in most of developed Western society, where today the use of such identity cards is widespread. I acknowledge that some of my colleagues, perhaps here and within the Party, hold a different view to mine, and I highly respect their views. Likewise, I should like to think that they will accord me the same freedom and permit me to briefly elaborate on this matter.

From surveys already carried out over the past two years, we know that there is in our community a broad acceptance of the notion of some form of identity card. When it was first proposed in the white paper on taxation, published ahead of the tax summit in June 1985, there was also wide acceptance. There was, so most of us believed at that time, wide acceptance of realigning the tax system along the lines of some other option such as the BCT (broad-based consumer tax), recognised as a more equitable taxation system for a whole range of taxpayers. The Liberals, perhaps under pressure from the social goldminers of the New Right, had a sudden change of heart once the debate had been allowed a free range. In many instances, when it was debated and recognised that many stood to benefit as opposed to a few, it was the acrimony and plain selfish greed of a few that triumphed.

The New Right started pulling the strings on their colleagues in the Federal Parliament and they pulled the strings so hard that some of the Liberals in Canberra found themselves on centre stage doing a very fine dance. It was a great day for circus lovers, an unfortunate day for Australian democracy, and what emerged was a hotch potch which pleased nobody but which ensured that the tax cheat, the fraud, the very wealthy, the money managing brigade could continue to manage their money without paying their proper share of tax.

While I am jogging a few memories, let us not forget that the Liberals at one time were supporting the identity card. I include in that statement the Federal leader of that Party. He was reported by the media on 16 September 1985 when he indicated that he was in favour of a national identity card, as follows:

> I see some merit in having an identity card providing the civil liberties concerns that the people have voiced can be looked after and provided the Government can satisfy the community there is some cost benefit in it.

That is not clear-cut support, but it was certainly an indication of support for an identity card. Let us not forget that at one time the Liberal Party used to blast the left wing of my Party for daring to oppose it. Now the story is quite different; the boot is on the other foot. What is the problem that the Liberal Party has in relation to the proposal of the identity card? Is it sour grapes because the Labor Party took the initiative in introducing the Bill and therefore the Liberals had to oppose it as a matter of course. My colleague on my left indicated that sort of attitude during his maiden speech. He said:

> There ought not to be in the Parliaments of this nation, both State and Federal, opposition from a political Party just for the heck of it. What is at stake is the ongoing future of Australia and all Australians. There really ought to be more unity.

I have spoken similar words in this Chamber about the lunacy of a dogmatic Opposition. There are moments, particularly in times of economic stress, when the political Parties need to make a great effort to work together rather than undermining each other. There are moments when one is not too sure whether the very structure of the Westminster system, the dual Party system, is ideal in times of economic crisis. Such a system of Government imposes on the Opposition, almost by definition, the role of being destructive and negative towards important legislation, such as the legislation in this case which would provide the identity card.

The Liberal Party's change of heart about the identity card has a very simple rationale, especially since its allegiance has shifted somewhat towards the extreme right. Without an identity card or some version of it, the tax cheating, the fraudulent mentality of the legal loophole can continue unabated. The community can no longer afford the tax cheat and we in the Labor Party can no longer tolerate the fact that we pay tax to subsidise these criminals.

Therefore, we can no longer tolerate Mr Howard and his colleagues, both nationally and State-wide, pretending that the Federal Government should stop dole cheats and the like while at the same time continuing to reject the Government's legislation for the ID card. The great majority of honest, hard working and fair-minded people in our community believe that they have nothing whatsoever to fear from a properly devised card system, and in my view they are completely right. No law abiding citizen need be ashamed of his or her identity. On the contrary, he or she should be pleased and proud to say, 'My name is so and so. I am a law abiding citizen, and this card is proof of my identity.' The identity card does not, in fact, detract from our individuality. Instead, it reinforces and proves our identity.

The Opposition's best argument against the system seems to be the change of mind since the great majority of Australians expressed support for the ID card. I can only feel saddened by the Liberal's attitude on the ID card legislation, but I am certainly not one bit surprised. I hope that it will not be necessary to show an identity card when voting at future elections, because that could totally disfranchise the Liberal Party and the National Party and leave the New Right out in the cold with them for at least a decade ahead, and that might not be such a bad idea.

The Hon. G.L. BRUCE: In supporting the motion and speaking to the Address in Reply, I would like to offer my condolences to the families of Don Simmons and Ron Loveday. Both men were known to me personally and both were conscientious and caring people. I certainly join with the Governor in his expression of sympathy to their families. The Governor, in his speech, touched on many facets of the Government's intentions in the forthcoming year, and I believe that the community as a whole would agree with the Governor's remarks in paragraphs 16 and 17 of his speech. The Governor, at paragraph 16, said:

> The community's concern about the perceived increase in the level of criminal activity, and the consequences for victims, bystanders, and ultimately all taxpayers, is being addressed by my Government in a number of positive ways.

He went on further in that vein and at paragraph 17 said:

> The frustrating and complex fight against organised crime, on a local and national level, has seen my Government's law enforcement agencies become increasingly involved with the Australian Bureau of Criminal Intelligence and the National Crime Authority. A tangible result of this cooperation will be the development of an Australian drug data base.

I believe that the community as a whole is most concerned about the level of perceived crime and the actual crime occurring in our community. However, I believe that one of the main contributing factors to the increased level of crime and criminal activity is unemployment. It has a direct relationship. I realise that unemployment is a problem that

cannot be overcome by State initiatives alone and that federal direction and thrust are the necessary catalysts to helping alleviate this festering sore in the community.

Looking back over my past speeches in the Address in Reply debate, I noted that in virtually every one I alluded to unemployment and its cost to our society. Unfortunately, during my time in Parliament—some seven or eight years—the problem has been with us and it seems to be beyond the scope of political decisions to effect a cure. I trust that at least in this State some of the perceived successes and the development that has occurred will mean that jobs will become more prevalent and the unemployed in our society given some hope for employment. I believe that only when this occurs can we as a community hope to see a significant drop in our crime rate. I have no doubt whatever that a strong relationship exists between the unemployed and crime. It is up to us to break that cycle or link, and we should use all our endeavours to see that the unemployment situation is eased.

During the recent parliamentary recess, as part of my study tour activity, I undertook a visit to East Berlin. I must say that I found it a most educational experience. It was my first contact with a practising socialist government and my visit to the heart of Berlin, the capital of the German Democratic Republic, was indeed an experience for me. A meeting arranged with Mr Gerald Gotting, the Deputy President of the People's Chamber and also President of the International Friendship League, took place at his office in the People's Chamber or the Parliament of the German Democratic Republic. It was a very frank and informative discussion that we enjoyed and it is only by such visits and meetings taking place with individuals that I believe that a greater awareness and understanding of people's problems and countries' places in the world arena can be appreciated.

Unfortunately, because of lack of time in the German Democratic Republic, I was not able to undertake an in-depth study of the benefits or otherwise of their political system and their way of doing things. However, what urged me to raise my visit to the German Democratic Republic was the discussion that we had with Mr Gotting. It was stated that unemployment did not exist and that it was not a problem in the German Democratic Republic. I felt that that was a staggering statement and, needless to say, it was pursued with Mr Gotting with scepticism on my part and with much vigour. However, he stood by that statement and just to say baldly that unemployment does not exist does not cover the problem with enough depth. It is a problem that has to be looked at in the light of the many other facets that go into making up the fabric of the German Democratic Republic society. Housing construction is regarded as one of the cores of the German Democratic Republic's social policies and, of course, it is high on its list of priorities. It not only hopes but also is very firmly convinced that by 1990 housing will no longer be a problem for the residents of the German Democratic Republic. Health and education also figured very highly in its priorities.

From the superficial look that I was able to take of the system in East Berlin, it is my understanding that nobody would want for the necessities of life. For example, I refer to housing, food, clothing, health, education and those types of facilities, but the items that we regard as luxuries would not be available in any great quantities. Cars were a prized item and evidently there is a waiting list of several years, but the cars that I saw mainly were made of plastic and were of a two-stroke design which, given any large number of them, would lead to pollution problems in inner urban areas. However, it would appear that the problem is understood and appreciated by the authorities, but at this stage it is not high on the priority list.

I was informed that drug addiction and crime is not a serious problem in the German Democratic Republic and, of course, when one realises that it operates on a different monetary system to that of the West, it becomes apparent that the profit motive is not there for the drug pushers and I would imagine that, if everybody were gainfully employed or occupied, crime would not be such a huge problem as is the case here.

I believe that a lot can be learned from visits of this nature to other countries outside of the so-called capitalist system. I would be the first to admit that some of their aspects of living would not be adaptable to our way of life and no doubt they could say the same thing about us. Of course, the huge stumbling block one comes across on a visit to the German Democratic Republic and East Berlin is the Wall—it cannot be ignored. The Wall was commenced on 13 August 1961. It was exactly 26 years ago today that the Wall was thrown up around West Berlin. Now it has become a fact of life for both East and West Berlin.

People in East Berlin seem to take it as a matter of course, but to an Australian visitor like me, and being aware of it, it still comes as a shock to be confronted with its physical presence. Only after you have been there for a while can you appreciate its significance. It is my belief that it will be there for a long time to come. It is more than just a physical wall of concrete and wire. It seems that it is a statement to the world that a new type of political government is taking place and interference in its affairs will not be tolerated. I suppose that it could be regarded as one of the greatest social experiments on such a grand scale in the world. The German Democratic Republic has about 16.64 million people within its borders and that would be about the only comparison one could make with Australia. The one thing that it does not have is raw resources, while Australia has more than it knows what to do with.

The German Democratic Republic is dependent on other countries for resources Australia takes for granted. It covers an area of 108 333 square kilometres so, in size compared to Australia, it is very small. When I was there, Berlin was celebrating its 750th year as a city, and it is a city of considerable importance. Twice in my lifetime two world wars—the wars to end wars—have been fought on German soil and Berlin has figured prominently in both of them. There is an awareness in East Germany that a war will not emanate from that soil again; yet on its borders, thousands of troops are stationed virtually eyeball to eyeball. It seems a contradiction, yet I received the firm impression that there is a genuine and urgent desire for peace to be the dominating factor in the world. It must be realised and understood that Berlin, both East and West, is still an occupied city with the Russians, Americans, English and French the occupiers.

While in East Berlin I had the opportunity to visit a construction exhibition that had been running for some time and tied in with the 750th celebrations. On display was virtually every facet of construction including farming. It was a very informative and instructive tour. One of the things that stuck in my mind was how we in Australia unwittingly squander our resources, and I will touch briefly on one small aspect. It is marvellous how small things stick in one's mind.

As I mentioned, in the German Democratic Republic resources are scarce, and when the plumbing in a house needs renewing—taps and fittings for showers, baths and kitchen sinks—the old unit is taken by the authorities and exchanged for a rechromed and renewed unit. That work is done in the technical training schools as part of the training

program for students. Not only does it save on raw materials because old materials are recycled, it gives students a chance to learn skills that are useful in job training. While I did not have time to pursue fully what else is recycled, I am sure that there are many examples of this thrift in the German Democratic Republic. I am quite sure that paper, glass and things of that type are fully recycled and re-used. It would be interesting to consider what we waste and throw away that can be usefully redeployed and recycled.

Berlin as a city has been faithfully restored to its former glory, the scars of the Second World War are no longer visible in the streets, and the buildings are quite impressive. Apart from some of the early post-war apartments, the city still has character. It appears that the authorities are aware of the tourist potential that exists in Berlin, not just for Eastern Bloc countries but for the West. A huge new hotel complex was in the course of being built and has probably been opened by now. My understanding is that it was aimed at the Western tourist trade. In these hotels deutschmarks can be spent freely and credit cards present no problems. That is not the case outside of that hotel complex. The hotel was well designed and blended in very well with its surrounds. If my memory serves me right it was no more than three or four storeys high. That is very interesting when one considers the East End Market wrangle. Some of the buildings that were thrown up after the war to house people left a lot to be desired as far as blending in with the surrounds. However, there is now a much greater awareness of the environmental impact and large programs are under way to restore and rehabilitate the older areas and buildings.

My reasons for touching briefly on this part of my trip are that that I believe that, irrespective of the politics of countries, something can always be learnt or absorbed from a visit to them. I am amazed at some of the negative reactions that I receive when I mention that I visited East Berlin. The only thing that can break down the barriers or walls is the exchange of ideas and people in and around the world. Ignoring them or their problems does not make them go away. It is much better to try to understand them.

I turn now to local matters. I congratulate the Government on at last giving recognition and resources to help to implement some of the proposals of the select committee's report on random breath testing. The *Advertiser* of Wednesday 11 August 1987 provided some statistics in an article headed 'SA Police Conducting 5 000 Driver Breath Tests a Week', as follows:

> Police are conducting about 5 000 random breath tests a week as part of a major increase in random breath testing enforcement. The South Australian Government says the rise in testing has been a success, resulting in fewer road fatalities. In a joint statement yesterday, the Minister of Transport, Mr Keneally, and the Minister of Emergency Services, Dr Hopgood, said the increased testing had started in April and was a 96 per cent increase in the level of testing over the previous four years.

To me, 96 per cent is a fairly significant increase. The article continues:

> The Ministers said more than 30 drivers each week were found to exceed the legal blood alcohol limit.
>
> Since mid-April the number of fatalities has been lower than for many years', they said. 'In the first five months of this year, only 25 per cent of driver and motorcyclist fatalities had a blood alcohol content of .08 or more, compared with 40 per cent on average over the past four years.

The article continues with further information, but quite evidently the campaign and the increased resources have had an impact. The *Advertiser* of 11 August 1987 reported that the State road toll indicated some 12 fewer road deaths than for the same time last year. That does not seem very many, but I am sure that, given the cost of road deaths and the traumas associated with those deaths, it is a very significant achievement. It is my hope that the trend can be maintained.

The matter of the amount of blood alcohol content is still being hotly debated in the community. In fact, the Hon. C.M. Hill introduced a private member's Bill to reduce the level to .05. The most recent select committee that was held on random breath testing considered this matter very closely and decided against recommending a limit of .05. I believe that an article in the *Sunday Mail* of 29 March 1987 by an Andy Williams puts the point across very well in this regard. I believe that this should be on the record and, accordingly, I shall quote some of the article. It is fairly lengthy; I will not quote it all, but I would like to quote some of the pertinent points. The article, headed 'Don't hold your breath', states:

> Amid the claims and counter-claims over South Australia's drink-drive laws, one group of researchers is adamant that lowering the blood alcohol limit from .08 to .05 would have minimal impact on the road toll.
>
> The National Health and Medical Research Council's road accident research unit believes all available evidence points to the real villain being the driver well over the limit, at least.
>
> The Adelaide University based unit's research shows the greater proportion of alcohol-related accidents occurred when the driver's blood alcohol level was .15 or higher—double the present limit.
>
> The unit's Director, Dr Jack McLean, said he had read the South Australian Government Road Safety Division report which recommended the reduction to .05.
>
> 'But I think the Road Safety Division would agree there is no evidence that lowering the limit to .05 in the absence of any other action would do any good', he said.
>
> 'Their argument is that .05 in conjunction with increased random breath testing enforcement is the best approach. What I would prefer to see is increased random breath testing, which is planned, and see what happens. If it's then decided to have a go at .05, to tackle that in 12 months' time', he said.
>
> Dr McLean said if increased random breath tests and the lower limit of .05 were introduced at the same time, it would be impossible to assess their relative impact on any reduction in the road toll.
>
> 'In New South Wales the limit was lowered to .05 two years before random breath testing came in, and there was no perceptible change', he said.
>
> Another example was Scandinavia, where blood alcohol levels were set at .04 or .05 and penalties for exceeding those limits were draconian by Australian standards.
>
> Scandinavia is often quoted by people as an example we should follow, he said. 'If you undertook in Sweden the sort of roadside survey of blood alcohol levels we are currently doing in Adelaide, you would find very few people above the legal limit'.
>
> 'However, when you then look at accident data and drivers who are killed in single car crashes, the proportion with high blood alcohol levels is about the same as that in Australia'.

The article continues in much the same vein. I think that I have made the point, that simply blindly reducing the limit to .05 without the proper research and study is not the answer. However, I believe that this subject should be kept constantly under review, as indeed should all matters relating to road safety and traumas. I note that a member in another place is advocating a review of the suburban road speed limit, suggesting that a limit of 40 km/h should be considered. I believe that there is merit in that sort of suggestion, as long as it is done for certain areas only and not simply applied as a blanket coverage.

At the moment the 60 km/h limit applies, but how often do we read of deaths and injuries caused by cars travelling well in excess of 100 km/h in suburban streets, especially during the early morning hours? No matter what limit we impose someone will always exceed it. It is much the same as the .08 provision: someone always exceeds what is a reasonable provision and so makes it that much more difficult for everyone else—the authorities and road users.

Road trauma and road safety have become a permanent part of our lives, and no Government can afford to relax its vigilance, effort or money spent to ensure that everything that can be done to minimise the deaths and injuries on

our roads is done. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 6.1 p.m. the Council adjourned until Tuesday 18 August at 2.15 p.m.