LEGISLATIVE COUNCIL

Wednesday 19 August 1987

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

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

QUESTIONS

SUPPRESSION ORDERS

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

Leave granted.

The Hon. K.T. GRIFFIN: Madam President, I want to raise with the Attorney-General a particular suppression order by the Supreme Court on 4 August 1987. The difficulty I have is that, while I am not obliged to comply with the suppression order in this place, I wish to respect that order as much as possible. The suppression order about which I wish to raise questions arose out of the death of a young woman in a country hospital as a result of which a person was charged with manslaughter. The man who was charged elected to be tried by judge alone and not by a judge and jury. The judge acquitted the man on 4 August 1987, after a trial which commenced on 14 July 1987.

The suppression order prevents the disclosure of the man's identity, his occupation and anything tending to identify him. It also prevents the disclosure of any of the details of the case as well as the remarks which the judge made in announcing his verdict of not guilty. The young woman's name, her age, her address and her own circumstances are suppressed. One could conclude from the breadth of the suppression order that all hospitals in South Australia are under a cloud. Questions are raised as to whether the person charged was a surgeon, an anaesthetist, a general practitioner, a nurse, nurse aide or any of a number of persons who work in hospitals, and one can envisage a few sideways glances at individuals who work in hospitals questioning: 'Is it him?'

The other major concern about the suppresison order is that even the remarks made by the judge in acquitting the man cannot be made public. That really is extraordinary. In a letter to the Editor of the *Advertister*, a Mr Ian C. Grieve, whom I believe to be a retired magistrate, comments on this order, as follows:

> There was once a time in this State when justice was seen to be done. Nowadays the suppression of names and evidence is commonplace and we have recently read of a judge suppressing his reason for finding a man not guilty.
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> To the public, that judge's order must raise the question as to the validity of his judgment and erodes confidence in the judiciary which is fundamental to a democratic way of life. Might I suggest that the Attorney-General consider the implications of the Evidence Act and move to bring the administration of justice back to the scrutiny of the public where it properly belongs?

The family of the young woman who died have sought my assistance because they are angry that there cannot be public scrutiny of the judge's reasons for finding the man not guilty. They are of the view that there are matters of a serious nature in the judge's remarks which ought to be subject to public scrutiny. They are incensed that they cannot even use the name of the young woman publicly or say whether she was married and had children in the context of the serious circumstances of her death. The parents, the brother, the sister and the husband want to be able to talk about the circumstances of the young woman's death as a warning to others. The family wants something done about the suppression order. My questions to the Attorney-General are as follows:

1. Has the Attorney-General reviewed this suppression order?

2. Will he take an application to the full Supreme Court to have the wide suppression order lifted or, at least, significantly narrowed?

The Hon. C.J. SUMNER: I thank the honourable member for his question. It is certainly a very important issue. In answer to the honourable member's question, I have not personally reviewed this suppression order but, in the light of his question and the concerns expressed by the constituents who have approached him, I am happy to seek a report from the Crown Prosecutor on that suppression order and then give consideration to whether or not an application should be made—that is, whether it is appropriate for the Crown to make application—for the suppression order to be varied taking into account the comments made by the honourable member.

There is no doubt that there is concern about the use of suppression orders in this State. That concern was also exhibited some three years ago, so it is not a new issue. On that occasion, as honourable members will recall, I asked for a report to be prepared on suppression orders. That report was compiled by a then legal officer in the Crown Solicitor's Office, Ms Branson, who is now the Crown Solicitor. That report was made public and subsequently legislation was introduced into Parliament and passed by it making some alterations to the law relating to suppression orders. That legislation clarified the circumstances in which an appeal against a suppression order could be made, in particular by the media. It required that the Attorney-General present a report on suppression orders annually (which has been done), and it required that the judges making suppression orders provide more detailed information as to their reasons for making suppression orders than had hitherto been the case.

Since then I have monitored the administration of the new legislation which, I repeat, was accepted as appropriate for the South Australian community by the whole Parliament. My recollection is that that legislation passed Parliament with the support of the Opposition and the Democrats. So, Parliament itself has decided on the appropriate law with respect to suppression orders as a result of the review that I ordered. I am concerned and I have written to the chief judicial officers (that is, the heads of the courts) about my concern that the reasons for suppression orders which must be given by the judiciary were not complying with the legislation. I had previously written to the Chief Magistrate and I believe also to other presiding judges to draw their attention to my view that magistrates were not complying with the legislation to ensure that the reports which they made giving their reasons for suppression orders had sufficient particularity to comply with the legislation.

That situation is being monitored in conjunction with the annual report that I have tabled on suppression orders up to the present time. The question has again arisen as to whether or not there should be further review of suppression orders. Parliament has considered this issue as a whole following Miss Branson's report, which was made available to members. As a result of legislation being enacted by Parliament three years ago, I assume that Parliament agrees with the law relating to suppression orders.

The problem is not so much the law, as its application in particular cases. I have no doubt that in some circumstances excessive use is made of suppression orders. I am not sure how we can have a system whereby suppression

orders are permitted in accordance with certain principles—which are quite well established in the cases—and a system that can be completely consistent, given the discretion that exists in the judicial officers. We have legislation relating to suppression orders and rules and principles that have been laid down by the courts as to when suppression orders can be used, but ultimately the situation reverts to how a judge exercises that discretion in a particular case. That can give the impression of inconsistency in the use of suppression orders.

The best justification for the use of suppression orders was contained in a case presided over by the then Chief Justice Bray, who said that if we do not have a system of suppression orders what we have is inequality in terms of the treatment meted out to some defendants. Because the names of some defendants will never be published by the media, it is only those persons who have some prominence, or in whom the media takes a particular interest, whose names will be published. Supporters of suppression orders have argued that, if there is no system of suppression orders, inequalities in the administration of justice arise because the media will direct its attention only to some cases for publication. That creates unfairness for people thus affected. It would be a different situation if, as the media did many years ago, it printed all the criminal cases that were before the courts. Obviously, that is not now practicable and one would not expect the media to do it. That being the situation, it seems that there is a need for a system of suppression orders to operate.

On occasions it would appear that the suppression orders are not exercised consistently. I am concerned about the way in which suppression orders are used in some cases. The honourable member has drawn to my attention a certain case, and I do not wish to argue, at least in general principle, with any of the propositions that he has put before the Council this afternoon. I note that the honourable member is not saying that there should not be any system of suppression orders. If he were saying that, that would constitute a significant change of view from the view he had three years ago. Certainly the suppression order in this case was broad—it was virtually a blanket suppression order—and I can understand the concern of the honourable member's constituents who were, in effect, the victims in this case.

I am prepared to accede to the honourable member's request to review the circumstances of this suppression order and seek a report from the Crown Prosecutor. Pending that report I will determine whether any application should be made to vary the suppression order.

ADELAIDE TOURISM

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Tourism a question about the promotion of Adelaide.

Leave granted.

The Hon. L.H. DAVIS: Following my recent criticism of the fact that too few institutions in the unique North Terrace cultural precinct were open to the public on Sunday mornings, I received a call from two students in the final year of the course at the School of Tourism at the Adelaide College of TAFE. The two students, Prue Harris and Josephine Allen, had just completed a touris.n study of the city of Adelaide. This 80 page study estimates that 80 000 people work in Adelaide. It is estimated that clerical workers account for more than one-third of this total labour force. The study makes the valid point that the city provides a leisure function not only for visitors to Adelaide but also for city workers. This study reveals some alarming deficiencies in local knowledge of tourist attractions. A carefully conducted survey of 49 city workers found that 51 per cent found it difficult to name three tourist attractions visitors should see in the city. The survey showed, perhaps not surprisingly, that residents of the city area visited Adelaide's libraries, art exhibitions and parks and gardens more frequently than did residents from outside the city area. Forty-seven per cent of the respondents indicated that their usual lunchtime activity was either doing nothing much or walking, sitting or strolling.

The survey commented on the lack of a budget for this promotion of Adelaide. Incredibly, only 51 per cent of these city workers could recommend three places for tourists visiting Adelaide. In other words, 25 respondents out of 49 interviewed could name three places, but the remaining 24 respondents could name only 41 places between them, clearly indicating a lack of knowledge of the attractions of Adelaide. For example, none of those surveyed under 30 years of age had visited the museum, Parliament House, or the Adelaide Town Hall in the last year. Only 9 per cent had visited the Botanic Gardens. The survey notes that the Department of Tourism does not have an existing marketing plan aimed at the 80 000 city workers. It also notes that there is also great potential for the promotion of Adelaide by the Adelaide City Council. The survey identifies a problem I have mentioned in this Council more than once—the lack of an advertising budget by institutions in the North Terrace culture precinct. For example, the South Australian Museum, incredibly, has a promotional budget of only $5 000 per annum. The Botanic Gardens also has a limited budget and no promotions officer. The survey concludes with the following weaknesses:

> City workers do not realise they are ambassadors for the City of Adelaide. Secondly, they are unaware of the direct consequences tourism could have on the city. Thirdly, two-thirds of the services and facilities available to the city workers are underutilised. Fourthly, the majority of city workers surveyed found it hard to list three places in the city that visitors to Adelaide should see.

This very well researched survey concludes that there should be a marketing plan to reintroduce the city workers to their city by way of an exciting, low priced package. The aim is to change their perceived image of the city and instil knowledge and pride in Adelaide, pride that will stimulate the city worker to discover the city after work and return again at weekends. Such an interest will flow on through word of mouth to other city workers, friends, relatives and tourists. The survey suggests, amongst other things, a package to promote city attractions to city workers.

For five years there has been a proposal for a brochure promoting the dozen cultural institutions along North Terrace. Many people in the tourist industry have found it astounding that in the nearly five years this Government has been in power it has been unable to come to grips with this major priority. I have earlier noted that South Australia's sesquicentennial year came and went with many visitors leaving our State oblivious to the delights that they missed seeing on the North Terrace cultural boulevard. I am aware that that brochure is imminent but, goodness me, it is like drawing teeth, having taken five years.

First, does the Minister accept the findings of this survey? Secondly, if so, what does she intend to do about them? Thirdly, does she believe that the North Terrace cultural precinct would benefit from the appointment of a promotions officer who could coordinate promotion of activities and events in Adelaide's unique kilometre of culture?

Fourthly, does she accept the need for a marketing plan along the lines set down in this survey?

The Hon. BARBARA WIESE: If the honourable member had bothered to find out what was going on in this city, he would know that many of the things that he suggests should be happening are, in fact, happening. Indeed, he will find that in future there will be a much better, more coordinated effort to promote the city of Adelaide than there has ever been in the past. This certainly flows from the market research project that was sponsored by the Department of Tourism. It is certainly one of the things that will flow from the City Council's new commitment to paying much closer attention to tourism and much more of a role in tourism promotion, particularly in promoting the city.

As a result of recent discussions a number of initiatives have been put in train which have led to the development of the latest Tourism Development Plan; for example, representatives of the industry have worked closely with representatives of the Department of Tourism in the preparation of a strategy for the next two or three years. Part of that strategy is to encourage South Australians to be better ambassadors for their State. It is important that South Australians are made aware of the enormous number of new tourism developments that have taken place in South Australia during the past five years or so, as it is difficult for people to keep up with the changes that have occurred in the industry.

The Hon. L.H. Davis: What about Adelaide? What about North Terrace?

The Hon. BARBARA WIESE: The honourable member should let me finish my answer in my own way.

The Hon. L.H. Davis: Well, you're very slow in getting to it.

The Hon. BARBARA WIESE: That is bad luck. If the honourable member asks a question he will have to wait for the answer.

The Hon. L.H. Davis interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: It is important that we highlight to South Australians the various things that have happened in this State. As part of our effort towards doing that, we will be placing much greater emphasis on making contact with South Australian journalists—travel and tourism writers, in particular—to encourage them to see the various parts of the State and the many tourist attractions here in the hope that that will encourage them to write articles about those tourist attractions; that will draw to the attention of South Australians the fact that those attractions exist so that they not only recommend them as tourist attractions for visitors to this State but also visit them themselves. That is one aspect of the matter into which we will be putting much more time and effort in the future.

In addition, this year, as in past years, we will be conducting another intrastate marketing campaign during the coming high tourist season. Announcements will be made about that a little farther down the track when that campaign has been finalised. We hope that that campaign will encourage South Australians to know more about their State and to travel within it.

A brochure highlighting the cultural attractions of North Terrace is, as the honourable member indicated, about to be produced: in fact, the copy is currently with the printer. That brochure should be available for distribution in the next few weeks. It has been sponsored jointly by the Department of Tourism and the Department for the Arts, and we have had excellent cooperation from the various institutions on North Terrace in the preparation of suitable copy for this brochure. That will be freely available to anybody who is interested in knowing more about that excellent cultural strip in the city. In addition, various institutions along that North Terrace strip are already taking steps to promote themselves better than they have in the past, and the Hon. Mr Davis should know that as well.

For example, during the past few months the South Australian Museum has appointed a firm of public relations consultants to raise its profile in the community. In fact, since this firm was appointed there has been a vast increase in the number of stories, television articles, and a whole range of other things which highlight some of the very interesting developments that are taking place at the museum. The museum is also attempting to have more frequent displays of the excellent collections that exist there and to bring those collections more to the attention of the South Australian and Australian public.

The museum, as are many other institutions along North Terrace, is also planning to pay much more attention to sponsorship and to contact various corporations and individuals in the community who may have an interest in those particular institutions and who would be prepared to support them financially. The State Library is interested in doing more than it has done in the past in obtaining further sponsorship for its activities so that it can not only improve its respective collections but also publicise the things that it does and promote its activities more than it has been able to do in the past.

Through the Department of Tourism, and with respect to the decisions that we have been able to take recently with respect to the rearrangement of our regional promotions activity, we will shortly be rearranging the funding arrangements for the various regions of the State. This rearrangement and reallocation of resources will mean that promotional officers will be appointed in each of the regions. Adelaide is one of those regions. It means that officers will be specifically responsible for working with the various agencies in and around the city of Adelaide to increase the promotional aspect and to improve on arrangements that have previously been put in place.

After the City Council's new commitment to be more involved in the promotion of Adelaide, we recently held discussions with the Lord Mayor about ways and means of going about that. I understand that the City Council intends very soon to commission its own market research so that the role it can play and which aspects of Adelaide it should be promoting more heavily than others become clearer. The Department of Tourism will cooperate closely with the City Council in these efforts. We will share information about our respective market research projects and do whatever we are able to to assist the City Council in having a high profile in the marketing campaigns that should take place to promote this city.

In fact, a number of things are occurring at the moment that will show dividends farther down the track in lifting Adelaide's profile, not only in relation to prospective visitors from outside the State but also in relation to drawing more to the attention of the citizens of the State, particularly those in the city, the various attractions that exist here. In short, many things are happening, and I should have thought that anyone who was interested in these affairs probably would know about them already.

CHRISTIES BEACH WOMEN'S SHELTER

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Attorney-General as Leader of the Government in this Council a question about the Christies Beach Women's Shelter.

Leave granted.

The Hon. DIANA LAIDLAW: In his ministerial statement on the subject of women's shelters on 11 August the Minister of Health advised this Council that funding would be withdrawn from the Christies Beach Women's Shelter on 4 September, as a result of Government concern about maladministration, both historic and current, of this shelter, and also in view of uncertainty as to whether services to clients were both fully available and appropriate. The same statement indicates that a number of unsubstantiated allegations of concern to the committee of review, when brought to the Minister's attention, were subsequently referred to the Commissioner of Police and the Corporate Affairs Commission. Those actions were taken about three months ago, but neither report has been finalised, I understand, to prove or disprove the allegations. Therefore, the Government has proceeded to cut funding for this shelter on the basis of unsubstantiated allegations. Does the Attorney believe that the Government has taken an unusual step in cutting funding to this shelter before the allegations have been substantiated by investigations undertaken by the Commissioner of Police and the Corporate Affairs Commission?

Also, is he concerned that the decision to cut the funding is being recognised increasingly not only as an instance of rough justice but also as action that maligns the Christies Beach Women's Shelter on the basis of unsubstantiated allegations that were published under parliamentary privilege? Does the Attorney believe that there is a case for both reports being finalised and released to either prove or disprove the allegations before the Government proceeds with cutting off funds on 4 September? If this is so, if the reports have not been finalised by the anticipated closure on 4 September, does the Attorney believe there is a need for the closure date to be extended until the findings by both of those bodies are provided?

The Hon. C.J. SUMNER: Basically, no. The reference of certain matters to the Corporate Affairs Commission and the Commissioner of Police was taken, I understand, in the context of the investigations carried out by the committee that did the report on the funding of shelters. The honourable member may have been confused about whether the Corporate Affairs Commission or the Department of Public and Consumer Affairs was involved as a result of the report, which I think refers to the Department of Public and Consumer Affairs.

The Hon. Diana Laidlaw interjecting:

The Hon. C.J. SUMNER: I understand reference was made to the Corporate Affairs Commission in the ministerial statement. My understanding is that there were certain matters referred to those bodies for inquiry, but they were not all of the circumstances which led to the decision by the Government to terminate funding to the shelter. The decision was made on the basis of the report tabled, to which the honourable member has access. One aspect of that was the referral of certain allegations to the Corporate Affairs Commission and the Commissioner of Police, but it was not just those matters that caused the committee, chaired by Ms Judith Roberts, to recommend that funding be stopped.

The Government was accepting the recommendations of the committee in its thrust that the funding should be stopped. That did not involve just the allegations that were referred to the Corporate Affairs Commission or the Commissioner of Police. In those circumstances, while those inquiries are continuing, there were other grounds for the decision beyond those that were referred to the Corporate Affairs Commission and the Commissioner of Police. The Hon. Miss Laidlaw will know, having read the report, that that being the case, the Government accepted the committee's recommendations. It was not a decision that the Government took off the top of its head.

It established a committee chaired by Ms Judith Roberts with other responsible people on it who carried out a detailed investigation into the situation of women's shelters and the funding of them. After taking all these matters which it had examined into consideration, it decided that funding for Christies Beach Women's Shelter should be stopped. The Government accepted that recommendation. In addition, certain matters have been referred to the Corporate Affairs Commission and the Commissioner of Police. They will have to continue their inquiries and decide whether there is any evidence to constitute either a breach of the Associations Incorporation Act or a breach of the ciminal law. If they do, they will presumably decide whether there is a case for any prosecution to issue. However, that is not the sole basis for the decision to terminate the funding. The termination of funding was made taking into account all the matters contained in the report and, in particular, following the recommendation of the committee that was established for that purpose.

GREENHOUSE EFFECT

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

Leave granted.

The Hon. M.J. ELLIOTT: Earlier this week my attention was brought to an article in the *Messenger Press*, which reported that Salisbury council has altered building regulations for St Kilda so that minimum floor levels are to be increased from 3 metres to 3.51 metres. The council has undertaken that action because it has become aware of the greenhouse effect and the consequences that might flow from it. I wish to draw the Minister's attention to those consequences, if she is not already aware of them. The greenhouse effect would have relevance in two ways. First, it would cause a lift in sea levels. A rise of about 60 centimetres in the next 30 years or so has been predicted, and also importantly a change in weather patterns, particularly places with low rainfall might have high rainfall, and vice versa. For example, the sort of thing we saw happen recently at Mount Barker: it may have been a regular experience that happened once every 100 years, or perhaps it was an example of what can happen with increasing frequency. Therefore, in terms of planning, the greenhouse effect starts to become important. It also becomes important when a council finds itself being sued by the Government if it allows certain things to occur.

Certainly, the greenhouse effect is now being taken somewhat seriously by the Minister for Environment and Planning. In answer to a question in another place in the last session, the Minister conceded that the greenhouse effect appears to be a reality. Therefore, I ask the Minister the following questions: has the Department of Local Government and/or the Department of Environment and Planning looked at potential consequences of changing sea levels and the greenhouse effect; in particular, the sort of effects that they would be having on local government? If not, will they do so? If they have looked at it, have they given any recommendations to local government?

The Hon. BARBARA WIESE: I am aware of the discussion that is taking place in many circles about the greenhouse effect, and I know it is of growing concern to many people. I thought it was interesting to read that the Salisbury

council had taken account of the greenhouse effect in decisions it took recently. I know that this matter is being discussed by other councils: for example, I know of one council along the Murray River which has been talking about this matter with respect to various developments taking place within its boundaries, so it is something that people within local government are starting to take account of and are thinking about.

With respect to the honourable member's specific questions, to my knowledge there has not been any specific discussion within the Department of Local Government about the greenhouse effect, and certainly no advice has been given to councils by my department about what steps or attitude they should take to that matter. As to whether the Department of Environment and Planning has been looking at it, I am not able to say. However, I am sure that there would be people within the Department of Environment and Planning who would have studied this matter and would have a view on it. Whether they have given advice to councils about these matters with respect to provisions of the Planning Act or a planning matter, I do not know. However, I will contact my colleague the Minister for Environment and Planning to ascertain whether or not any action has been taken on that matter, and I will bring back a report.

The Hon. M.J. ELLIOTT: I desire to ask a supplementary question. Does the Minister believe that the Department of Local Government should take a lead in this matter, or should it simply wait for events to overtake it?

The Hon. BARBARA WIESE: I am not really sure that the Department of Local Government is the most appropriate agency to be advising local councils about this issue. The question raised by the honourable member about local councils being sued by Government agencies is not a reality as far as I know in the Mount Barker case, which is the matter to which the honourable member referred. The State Government has taken no action to sue the council in that matter, but it is true that the council took decisions on a planning issue against the advice of relevant Government agencies. I suppose on many issues State Government agencies are only able to advise councils about particular matters. There are some things on which we are not able to give a direction but must try to encourage councils to take a particular course of action.

With respect to the greenhouse effect, I believe it relates more to the work of the Department of Environment and Planning rather than the Department of Local Government. If anyone is advising councils about these matters, I would anticipate that it would be that agency rather than my department. As I indicated, I will obtain a report on this matter and bring it back.

INNAMINCKA TELEPHONES

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Tourism a question about telephone access in the Innamincka area in regard to tourism.

Leave granted.

The Hon. PETER DUNN: While in Innamincka a little while ago it was drawn to my attention that the Federal Government, through Telecom, plans to connect Innamincka to the Queensland system through the rural and remote areas program using the digital radio concentrator system, which is the method by which telephones are installed in outback areas. When I was in Innamincka I was surprised at the number of people travelling through there. I arrived there at about 4.30 one afternoon and I saw three buses arrive, each containing about 35 people. One bus remained at Innamincka and two travelled on to the Dig Tree or somewhere in that area. I am trying to demonstrate that the number of peple travelling through this area is increasing at a great rate, and it is becoming a very popular tourist area. About a fortnight before that I happened to be at Mungerannie station, which is on the Birdsville track, and some visitors called in who had been to Poeppel Corner, which is the corner of the State where Queensland and South Australia meet. These people informed me that there is a book available at Poeppel Corner to be signed by people travelling through and on that day—during the school holidays—54 vehicles had passed through. Given Poeppel Corner's remoteness, I was staggered at that—54 vehicles travelling through in a day.

The PRESIDENT: Order! I remind the honourable member that no opinions can be expressed in a question. Even though I do know Poeppel Corner and appreciate the honourable member's being staggered, it is out of order to indicate such.

The Hon. PETER DUNN: I often stagger, Madam President, but probably not because of Poeppel Corner. I might say that I still remain staggered at the number of people who travel through there. I am trying to demonstrate that there is a real need for communication in that area. Tourists are increasingly seeking the use of telephones at stations along the Birdsville track, and they also seek assistance in some other way or another. The fact that there is a plan to connect Innamincka to the Queensland system would not assist tourism in South Australia. I understand that people from Innamincka have contacted tourism authorities in this State. Has the Minister made any representations on behalf of Innamincka residents to the Federal Minister so that Innamincka can be connected to the South Australian system and, if not, will she do so?

The Hon. BARBARA WIESE: No, I have not made any representations to my Federal colleague on this matter because I have not been approached by the people of Innamincka about this matter. If they were to approach me, I would do whatever I can to assist them because I recognise that, in the interests of tourism and with the increasing number of people travelling into the outback with the sealing of the Stuart Highway, it is important that there be adequate methods of communication for all sorts of reasons. A lot of tourism development is taking place along that centre strip of Australia to provide accommodation and other facilities for travellers who now choose to traverse the country from south to north and *vice versa* by car, which means that there will be a growing number of places in the outback where people will be able to make contact with others. However, it is important that the systems used are as convenient as possible, and I will certainly be happy to take up the matter with my Federal colleague should the people of Innamincka wish me to.

COURT TRIALS

The Hon. K.T. GRIFFIN: I seek leave to make an explanation before asking the Attorney-General a question on the subject of trial by judge alone.

Leave granted.

The Hon. K.T. GRIFFIN: In the case of the wide suppression order matter to which I have already referred during Question Time, the defendant was to be tried in the Supreme Court by a circuit judge. That judge was known well in advance and a successful application was made to have the

case tried in Adelaide. That judge heard the matter when it came on for trial in Adelaide. Knowing who the trial judge was to be, the defendant elected to be tried by judge alone.

This possibility of picking a judge was raised by me when the legislation giving an accused person the right to elect for trial by judge alone was before Parliament, but I regret to say my argument was not given much weight by the Attorney-General. The family of the dead woman is also concerned about the fact that they believe that the judge's decision was wrong and that there ought to be a right of appeal. They have approached the Crown Prosecutor but have been told that this is not possible. Again, when the Government brought in legislation to give an accused person a right to elect to be tried by judge alone, I raised the issue of appeal as there is an appeal against a finding of not guilty in the Magistrates Court, but I was not successful in having the right of appeal by the Crown inserted.

I acknowledge that it is not appropriate to have a right of appeal in cases where there is trial by judge and jury, although in the relevant provisions of the legislation there is a right for the Attorney-General to appeal on questions of law where a jury is involved, but without affecting the acquittal of an accused person. Members will recall that only a week ago the Chief Justice, in his address to the Crime Prevention Conference in Adelaide, criticised the legislation which gives the accused the right to make an election. My questions to the Attorney-General in that context are:

1. What steps will the Attorney-General take to ensure that an accused person cannot make his or her election to be tried by judge alone, rather than a judge and jury, after knowing who the trial judge is to be?

2. Will the Attorney-General support legislation to give the Crown a right of appeal from a decision by a judge alone to acquit an accused person.

The Hon. C.J. SUMNER: Despite the criticism by the Chief Justice, it should be pointed out that Parliament's acceptance of the possibility of an accused person electing to be tried by judge alone was introduced following the recommendations of a former colleague of the Chief Justice, namely, Justice Roma Mitchell, who conducted a major review of criminal law and procedure in this State. The Government acted on a recommendation that was made by Justice Mitchell as Chairperson of a committee, which included Professor Colin Howard, now Professor of Law at Melbourne University, and Mr David Biles, Deputy Director of the Australian Institute of Criminology. I suppose we can put up the Chief Justice's view against that of Justice Roma Mitchell and you can take your pick. The fact is that the Chief Justice's view does not have the unanimous support of the judiciary. Clearly Justice Mitchell felt that the option of trial by judge alone was worth considering.

The Government introduced legislation; it was passed by Parliament and was supported by the honourable member, with some suggested amendments, and by the Democrats. That point needs to be made clear. I agree that the accused should not be able to make an election to be tried by judge alone when he knows who the judge is. I think that is quite wrong. That matter was raised with the Chief Justice. If that situation has occurred in this case, I will examine the matter and take it up with the Chief Justice to see whether appropriate amendments can be made to the Supreme Court rules to ensure that it does not happen, because in my view an accused person should not be able to elect to be tried by a judge alone when he knows the identity of the judge. If that does happen the court should make arrangements to switch the judges.

The Hon. I. Gilfillan: Is it controlled in the Act?

The Hon. C.J. SUMNER: No, it is not controlled in the Act. I recollect that I undertook to raise the matter with the Chief Justice to have that done, and I believe that there are procedures in place to minimise the possibility of an accused person making an election after he knows the identity of the judge. In my view that should not happen; I make that quite clear. If it happened in this case it is a matter of some concern and I will certainly take the matter up with the Chief Justice to ensure that if it did happen—and I do not know whether it did in this case; it may not have—then procedures should be developed to ensure that it does not happen again. If the court feels that it cannot cooperate in this respect, I assume that members, from what they have said, would be happy to entertain an amendment to the legislation to ensure that the correct procedure is adopted. That deals with the first question.

As to the second question, it is necessary to state that if a person is acquitted by a jury there is no appeal. The judge is in the same position as a jury; it is a trial on indictment. Other cases in which an appeal can exist relate to circumstances where there is a summary trial followed by an appeal by the prosecution to the Supreme Court. In this case the circumstances are that there is a trial before a judge on indictment and the trial by judge alone is in similar circumstances to that of a trial by jury. As I recall Justice Mitchell's recommendation, in those circumstances she recommended that there ought to be no appeal against an acquittal, so that the person who elected to be tried in that way was in the same position as a person who elected to be tried by judge and jury.

The Hon. K.T. Griffin: You can't review what a jury thought or the reason for the jury's decision, but you can always review a judge's reasons.

The Hon. C.J. SUMNER: That is true, but I think that would place an accused person, who elects to be tried by a judge alone, in a disadvantageous position *vis-a-vis* a person who chooses to be tried by judge and jury, and I think that would be an unfortunate consequence of the honourable member's proposition. Errors on points of law in a judge's summing up can be reviewed and set right by the full Supreme Court. Similarly, any error of law in the judge's summing up or judgment can be reviewed by the Supreme Court. I do not know whether such an error has been made, but I could certainly examine that in conjunction with the other matters which I have undertaken to examine following the honourable member's question.

MILK

Adjourned debate on motion of Hon. M.B. Cameron:

That the regulations under the Food Act 1985 concerning unpasteurised milk, made on 21 May 1987, and laid on the table of this Council on 6 August 1987, be disallowed.

(Continued from 12 August. Page 116.)

The Hon. PETER DUNN: I support the motion. Like the previous speakers, I have a problem with this matter, since it is really very little to do with health and much to do with choice. The argument for free choice is very important to all of us, and I believe that we all want as much choice as we can possibly have. This regulation will be restrictive because of pressure groups who, in their own interests, wish not to allow a small section of the community to have that choice. It is quite evident that this is an act of compulsion. If the regulation goes through there will be no

way in which one can purchase raw milk other than to travel to somebody's front gate and purchase it that way.

That, I believe, will bring about a breaking of the law, because people will want raw milk. There is quite a demand for it, as we have seen, in the Murray Bridge area, in the South-East and on Eyre Peninsula. Many people want raw milk because they believe—and there is some evidence to justify the belief—that it is a healthier product than milk which has been processed.

The Hon. J.C. Irwin: It's certainly healthier to the pocket.

The Hon. PETER DUNN: It certainly is: there is a saving of 12c or 13c by purchasing a litre of raw milk. Let us face the facts: every milkman would himself be drinking raw milk. If members want an example of that, I drank nothing but raw milk during the early part of my career, and what an example I am! I am at the pinnacle of my physical magnificence, I think, and that is possibly because I drank raw milk when I was younger. I do not appear to suffer from TB or brucellosis, although I have not been tested for that. However, there is no reason to use that excuse for having to pasteurise milk, because the State is supposed to be TB and brucellosis free. Some areas in the north are not, but in the dairy herds there should be no TB or brucellosis, so that pasteurisation is not required for the killing of those pathogens. There may, indeed, be salmonella and campylobacter, but they are rare. If we look at the records in South Australia for the past 10 or 15 years, outbreaks have been very few. There was an outbreak in Whyalla which, I think, has been cited. There has been a fairly recent outbreak here, but it cannot be put down to raw milk. It is a fairly subjective judgment that it was from the dairy from which it is supposed to have come.

Milk is chilled today and is not hand milked as it was in my day. My own children drank milk that I myself hand milked for a number of years, and that cannot be as clean as milk which is extracted from a cow through a machine that is properly cleaned. So, what is the argument? It gets back to choice. There is a component of the community that will want raw milk and will continue to use it, and this regulation does nothing to stop those people. It says that one will be able to purchase milk from the dairy gate. If that is the case, why restrict it? I believe that the restriction is caused by those people in those parts of the industry who can see a financial benefit for them. I will read a letter from a dairyman or dairywoman on Eyre Peninsula which, I think, demonstrates quite graphically what is happening in that industry. It was addressed to me and reads:

> Re pasteurising of all milk sold in South Australia.
>
> We are opposed to it in all manner and form. At the moment we sell all our milk from the dairy packed in plastic-type bags. We found there were a lot of people who do not like nor want pasteurised milk but have to buy it—they have got no choice. When we started legally supplying milk—

I want members to note this paragraph—

> as milk vendors, the local factory (Southern Farmers) refused to take our milk, so we had problems. But we worked at it. At the moment we are on a very tight budget, and if we had to buy a pasteuriser it could put paid to our livelihood.

It goes on to talk about deaths from milk-related diseases and says that there had been a radio program in South Australia that related to the situation in the USA and Europe. There had been no cases registered in South Australia or, for that matter, in Australia. The letter continues:

> Also, since we have been selling milk our local council and Health Commission officer has not had any complaints—

and they have been selling milk now for two years—

> to our knowledge. We want it left as it is to give everyone their choice of what they buy. Personally, we think the bigger dairy companies are pushing for pasteurised milk through the Health Commission purely and simply to have a monopoly and to push all others out.

It is signed K.C. and R.A. Wetherall and Sons, Port Lincoln. There are only five dairies on Eyre Peninsula, of which that is one. The other dairies supply to Southern Farmers. Let me briefly explain what can happen when an industry is controlled by a rather large company. All of those dairies were asked to supply milk to the Port Lincoln market when the tourist season was at its height in the summer period. They agreed to do so but found their milk production dropped off because the cows were brought in late in the season and their maximum milk production was during the drier part of the year. They received no benefit from having to do that. They did not receive any premium on their milk, with the result that they lost a considerable amount of milk.

Once the precedent was set, the company virtually refused to allow them to go back to producing their milk when they would get the maximum amount of milk from those cows. The company trucked in milk from the Mid North and other areas to do that. That is a little aside from this problem of compelling people to use pasteurised milk. This case demonstrates what an influence a big company can have on a small industry and on individuals. So, it really is the big boys exerting their muscle. The argument is therefore between health and sales. There appears to be not a very strong argument for compulsorily pasteurising milk that is sold.

There appears to be an argument on behalf of companies that, by forcing people to pasteurise their milk, it then has to go through a company which gets a cut from it. The price of raw milk is of the order of 62c a litre and pasteurised milk 75c a litre. South Australia is the only State that does not require milk to be pasteurised compulsorily: that may be why our milk is the cheapest in Australia and the cause of that 10c to 13c difference in the price. For those reasons, I support the motion.

The Hon. G.L. BRUCE secured the adjournment of the debate.

AUSTRALIA CARD

Adjourned debate on motion of Hon. Diana Laidlaw:

That this Parliament:

1. Registers its strong opposition to the introduction of a national identification system, incorporating the Australia Card, and
2. If the legislation passes the Federal Parliament, calls on the State Government not to cooperate in the establishment of a national identification system incorporating the Australia Card.

(Continued from 12 August. Page 124.)

The Hon. M.B. CAMERON (Leader of the Opposition): I strongly oppose any move to introduce an Australia Card and therefore strongly support the motion moved by the Hon. Ms Laidlaw. It is the ultimate in Big Brother control. I am an individual Australian, like everybody else, and I do not need to carry a card to say who I am or what I am. I expect to be accepted at face value, not because I carry a piece of plastic that I must present to identify myself. I have nothing to hide and violently object to bureaucrats (the Sir Humphreys of this world) taking over my life, manipulating information about me and having access to my personal details, including the date on which I was born: I really take exception to that.

The Hon. Peter Dunn: Wasn't Mr Lesses saying something like that?

The Hon. M.B. CAMERON: Yes, that is right. The Government assures us that information relative to the ID card will be held in the utmost confidence, but it would be naive

in the extreme to think that no information would escape from the clutches of the bureaucracy. No democratic Government has the right to insist that its citizens carry ID cards and that, if they do not carry them, they will be fined or arrested. I ask the question, 'Are we a free society, or are we not?' What sort of track are we heading down with the comrades in arms of the people opposite? I trust that not all the members sitting opposite support this measure, as I have respect for the attitude of some members opposite in relation to civil liberties. I would expect this sort of thing to happen under a totalitarian Government, but Australia has always been, to use the old words, 'a land of the free', and I say, 'Let's keep it that way.'

I suggest to the citizens of South Australia that the only way that the Government can succeed in this monumental idiocy is to have the cooperation of the people. What we should do as citizens is tell them to go jump in the proverbial lake. If the citizens do that the card will not take off. I am not a great protester or a person who joins street demonstrations. However, I will certainly seriously consider my position in relation to such matters if this proposal proceeds further because I feel extremely strongly about it. I have, in fact, been in one protest, but that was a long time ago in another country, and I joined purely out of curiosity.

The Hon. R.I. Lucas: What was it?

The Hon. M.B. CAMERON: It was a demonstration against the Russian invasion of Hungary and it was held in Beunos Aires. That is a long way from Australia. That occurred in 1956, which was a long time ago and, as I said previously, it was curiosity that led me to do that.

Some years ago an attempt was made to force members of Parliament to wear identification photographs in order to get into Parliament House. Some members of this Council who were here at that time would recall that. Some members refused to have their photographs taken, and it did not come to pass. I asked at the time why on earth a member of Parliament should have to wear a card showing who he or she was in order to get into Parliament House. It was an absolutely ridiculous proposal and one to which I took exception.

I suggest that people in this country would head in that direction if the Government was stupid enough to continue with this proposal. I do not say lightly that I would take protest action about this matter, because I attempt to obey the laws of this country. However, I am not alone in my strong opposition to this proposal. There is no mandate for an identification card, which has been appropriately dubbed 'the Moscow card'.

The papers have been flooded with letters against this proposal. The unions, the traditional Labor backbone, have gone against the Hawke Government on this issue. Indeed, they went as far as placing a half page advertisement in the *Advertiser* yesterday saying that the Prime Minister had no mandate on ID cards and warning that a national network of opposition to the ID card was being formed. Even the Premier of this State—the man who wrote a personal letter to the people of Hawker urging them to vote for Bob Hawke—admitted yesterday that the South Australian Government was not prepared to fully cooperate with the Federal Government in the exchange of births, deaths and marriages records. He said:

> The Government is not prepared to participate in a scheme, on an open slather basis, to make available records which have been assembled by South Australian taxpayers over the years at some considerable expense, simply hand them over and say, 'There is a body of information that we can use.' That is being discussed with the States, and some agreement will have to be reached with the Federal Government concerning access to those records.

It will be very interesting to see what happens with the other States. Mr Hawke might find himself rather embarrassed if his own Labor Premiers do not cooperate.

Whether or not we should have an ID card is obviously a controversial issue, but the Hawke Government has decided, in its arrogant manner, to push on with it, and who cares what the people want. I challenge the Federal Government to hold a referendum on the Australia Card. Let us have a proper community debate and not a half baked debate in the middle of an election campaign because of some trumped up excuse to have a Federal election. If the Government is so confident that the majority of the population wants it, then let it have a referendum. I believe that it would get a big shock. I frankly find it quite extraordinary that the Government is pushing on with this legislation despite public outrage, widespread criticism and headlines stating, 'ID card flawed, Ryan admits', or, 'Australia card must be buried', and 'Trouble for Hawke on the cards'.

I turn now to a union advertisement relating to this matter. These unions would not be unfamiliar to members opposite. I will name the unions involved. They include Actors Equity of Australia (SA Division).

The Hon. R.I. Lucas: Don Dunstan would know that one.

The Hon. M.B. CAMERON: That's right: Australian Postal and Telecommunications Union; Building Workers; Federated Gas Employees Industrial Union; Food Preservers Union; Vehicle Builders Federation; Amalgamated Metalworkers Union; Australian Timberworkers Union; United Fire Fighters Union (SA); Federated Storemen and Packers Union; Seamen's Union of Australia; John Lesses (Sec. UT&LC, SA); Australian Federated Union of Locomotive Enginemen; and the Federated Engine Drivers and Firemen's Association. This is what they said in that advertisement:

> You have no mandate on ID cards Mr Hawke.
>
> NOT AN ELECTION ISSUE
>
> Despite taking the extraordinary step of dissolving both Houses of Federal Parliament following the defeat of the Australia Card legislation, this important issue rated barely a mention during the recent election campaign. While the re-election of the third Hawke Labor Government clearly reflects an acceptance by the majority of voting Australians for the policies debated during the election run-up, this cannot be taken as an endorsement for the Australia Card.
>
> NOT A TAX ISSUE
>
> The overwhelming bulk of Australians abhor tax avoidance and minimisation and support proper measures by Government to stamp out these practices. Many of these same citizens equally believe that the introduction of a national system of identification and sensitive data storage is a massive intrusion into the privacy of those least likely to be involved in tax avoidance practices and equally less likely to be effective against those who are. Fight back! A network of opposition is being formed.

This is a clearcut indication of the widespread opposition to this proposal, even in the ranks of the Labor Party, and I am very pleased to see that. There will be some extraordinary bedfellows if this proposal goes much further.

The Hon. R.I. Lucas: Terry Roberts?

The Hon. M.B. CAMERON: The Hon. Terry Roberts and I might well find ourselves linking arms in the main street of this city.

An honourable member interjecting:

The Hon. M.B. CAMERON: Well, I hope he will. I am not sure whether or not he will be allowed to, but I trust that he will be able to join hands with us in fighting this.

The Hon. R.I. Lucas: Nick Bolkus?

The Hon. M.B. CAMERON: He will be there; he is a brave man. The Attorney-General, also, is a man of principle.

The Hon. R.I. Lucas: He's a conservative.

The Hon. M.B. CAMERON: He is non-factional. There are numerous problems with the concept which have been well documented. The cost is a major problem. It was estimated by the Chairman of the joint select committee on the Australia Card that the cost of the card to the Commonwealth would be about $739 million. On top of this, compliance with the scheme could cost private enterprise more than $600 million over 10 years. So, the total cost of implementing the scheme over the decade could be around $1.3 billion, and I wonder how many Australians believe it is worth that much money to be saddled with this problem.

Fraud, despite what the Government says, will continue to be a problem if the ID card is introduced. Many experts have argued that it will be a piece of cake to defraud the system even with the cards. One man who claimed he had had 10 years experience in dealing with Commonwealth fraud criminals said on Adelaide talkback radio that fraudsters 'can't wait' for ID cards to be introduced. He said it would not be a matter of forging the actual card, but forging the documents with which to obtain a card. So one person could have several cards, each with different details.

I now refer to Dr Blewett, that man who for many years before entering Parliament spent so much time pretending to be the defender of civil liberties in this State, who was Chairman of the Council for Civil Liberties in this State, and who seems to have forgotten even where he came from and forgotten his background in civil liberties since he became a Federal politician. I say that with some force, because the Hon. Dr Blewett put himself up as a great civil libertarian; he used and manipulated that group and then dumped the whole concept as soon as he became a Federal politician. Dr Blewett, defending the man's comments, said that the computerisation of national births, deaths and marriages—to be on line as part of the Australia Card arrangement—would provide the Government with a 'much more effective way of checking' than it presently has. But, as I mentioned earlier, the South Australian Premier and probably Premiers are unsure as to whether they will be providing him with that information, and that will be the end of his 'effective way of checking'.

How does the Government propose everyone will obtain an Australia Card, and how long will it take? Who takes the photos? How will people in isolated country areas go about getting a card? How will Aborigines in the Far North go about getting a card, and how will they keep it? Where will they keep it? How does the Government think they will have them? I have a fair idea, but I think that the Government does not understand what it is getting into. What will happen with identical twins (that will be a very interesting question), triplets or even quintuplets? Will they have to provide fingerprints to accompany their cards just to make sure that it is the right person?

The whole concept is really quite ridiculous. It would be an enormous financial outlay, with absolutely no guarantee of return. In the meantime it would be attacking all innocent people in the community for the sake of a few guilty ones. It would be an internal passport, more suitable for the regimes in Eastern Europe than in a country like Australia. Next it will be like East Germany where you have to have an ID card to get on a train; one has to get a permit. I cannot stress enough the absolute lunacy of this whole exercise. I call on the Federal Government to abandon immediately its nonsensical plans to introduce an Australia Card, and on the State Labor Party to support us in this motion to show what we think of it.

I finish by quoting Donald DeBats, the President of the South Australian Council for Civil Liberties—exactly the same position previously held by the Hon. Dr Blewett. He said:

> Politicians are at last reminding the public of the issue which led to this early election: the Government's identification card and numbering system.
>
> The Treasurer, Mr Keating, suggests that those who oppose this development support 'tax cheats'. Against this disgraceful claim, the following points should be considered. No Commonwealth country, indeed no country comparable to Australia, has, or is proposing, a compulsory, comprehensive identification system of the kind the Government seeks to impose.

The Hon. C.J. Sumner: What about Italy?

The Hon. M.B. CAMERON: Do you want us to go into that now? You do support it? Mr DeBats continues:

> The Social Security Department anticipates no net revenue from the identity card. It will not stop welfare fraud.
>
> The Government has only begun to use conventional powers to combat welfare fraud; the very success of these efforts indicates the extent of previous laxity.
>
> The Government's own joint select committee rejected the identity card and supported greater use of the existing tax file number as a more efficient and less intrusive way of combating tax fraud.
>
> The Government's proposed system will cost taxpayers between $800 million and $1 000 million; 2 000 extra public servants will be employed; the price to industry will be $2 000 million, inevitably passed on to consumers in the form of higher prices.
>
> On the Government's own figures, the system will require at least six years before revenue exceeds operating costs.
>
> The system will create a massive bureaucracy whose cost effectiveness can never be measured.
>
> The amount of private data held on individuals under this system, in a centralised data bank, is unprecedented.
>
> There are valid grounds to expect that the identity card will become a *de facto* internal passport—containing increasing levels of personal information and demanded in an ever-expanding set of circumstances.
>
> The identity card and numbering system (disingenuously called the Australia Card) is a bad idea which will do little good and may inflict much harm. It is unnecessary, wasteful and dangerous. That is why the opposition to the identity card covers the entire political spectrum.

I could not agree more than I do with what Mr DeBats has said. It is clear that we are stepping into an area of law that is reprehensible and unacceptable in this free country of ours. I call on the Council to support this motion unanimously in order to indicate to the Federal Minister for Health, the Federal Government, Mr Hawke and anyone else who supports it, that this matter should be withdrawn and not proceeded with. I hope that this occurs because citizens of this country will become extremely angry about it. Unfortunately, it is like so many things—once it starts it is difficult to stop. The easiest way to ensure that the Australia Card does not come about is to stop it before it is started.

The Hon. G.L. BRUCE secured the adjournment of the debate.

TAFE PRINCIPALS

Adjourned debate on motion of Hon. R.I. Lucas:

That the regulations under the Technical and Further Education Act 1976, concerning principals' leave and hours, made on 6 August 1987, and laid on the table of this Council on 11 August 1987, be disallowed.

(Continued from 12 August. Page 125.)

The Hon. R.I. LUCAS: Last week in moving this motion for disallowance I gave the broad case in support of disallowance of these regulations. In general terms, I referred to the arrogant and inflammatory attitude of the Minister of Further Education and other representatives of the Bannon Government in relation to the whole TAFE dispute. On

Monday this week I indicated further that I believed that the parties—the South Australian Institute of Teachers, the Minister of Further Education and the Bannon Government—ought to sit down and compromise and negotiate the whole dispute.

I urged that the South Australian Institute of Teachers withdraw all its bans and its industrial action, as there is no doubt that industrial action is causing some pain and distress to some students who sometimes travel long distances and arrange child care only to find that there have been last minute cancellations of courses at their colleges. In return for that, I urged that the Minister should withdraw his non-negotiable stance that he had laid down some weeks ago and the further statement that he made last week, subsequent to the moving of this disallowance motion, when he said, 'Pooh, pooh, to Parliament,' in effect. 'If the Democrats and the Opposition disallow these regulations I will institute the changes administratively, anyway.'

One is tempted to ask, if the Minister has the power to introduce the changes administratively, and that is the subject of some legal debate at the moment, why do we have these regulations before us in the first place? If it is within the purview of administrative action of the Minister of Further Education, why did he have to introduce the regulations under the TAFE Act? Ms President, I suggest that the legal situation in relation to the question of whether the Minister can move administratively is under debate, which is why we have these regulations before us: because it is not clear that the Minister has the power to act administratively to institute the changes within the purview of this regulation before us.

On Monday at a public meeting at Adelaide College of TAFE I urged that if both parties took those positions, that is, withdrawing bans and withdrawing the non-negotiable stance, that they should then go to the Industrial Commission and seek a compromise involving give and take on both sides, with some change in working conditions, and that if a compromise could not be negotiated, both parties should be prepared to indicate publicly that they would accept the independent decision of the Industrial Commission.

After being urged publicly to respond to my plea at that meeting, the Minister refused to respond in the arrogant way, as I have suggested, that he has handled the whole debate. Ms President, we found that the next step in the dispute was the hearing yesterday morning when, I understand, in front of Justice Allan, the Government once again sought to delay, procrastinate and defer the hearing of this case in front of the appropriate body.

It is interesting to note from the *Advertiser* report this morning that Justice Allan clearly did not accept the further pleas of the Government's representatives, because he said, 'Enough is enough. You have had enough time.' He laid down a date for the first hearing on Friday 21 August. That is the first sign that at last the Minister of Further Education and the Government might be forced into a position of following the due process of conciliation and arbitration that every other employer in South Australia is required to follow if an employer wants to set about adopting the stance that the Department of Further Education and the Minister have set about in unilaterally reducing working conditions for its staff.

The position that I indicated last week, and I indicated when the dispute first arose, and as I again indicate, is that I believe that there has to be give and take by both sides in this dispute. In the end it will probably have to be resolved by the Industrial Commission. That give and take will mean changes in working conditions for TAFE staff—there is no doubt about that. Based on statements of the President of the South Australian Institute of Teachers, Bob Jackson, and on the dozens of comments of TAFE staff with whom I have spoken, I believe that they are prepared to sit down and negotiate or accept an umpire's decision in relation to changes in working conditions for TAFE teaching staff.

The party at present who has not been willing to accept a change in its original position has been the Minister of Further Education and the Bannon Government with, as I said, its arrogant and inflammatory attitude towards this dispute. So, for the Minister of Further Education to be organising dorothy dixers to say that other members of the Liberal Party have raised questions a year or two ago about TAFE teacher hours is in no way inconsistent with the position which I have put down on behalf of the Party and which I continue to put on behalf of the Party. Indeed, other members are putting their own views to individual electorates as local representatives and as representatives of their TAFE teachers in their areas. I am sure they will make their views known wherever they are given a chance publicly. They will state their view that there must be a compromise. I am sure that some changes in TAFE working conditions will be accepted by the majority of TAFE teaching staff if proper procedures are followed.

However, the process that the Government has adopted has been arrogant and inflammatory and it will only be through sitting down and negotiating through conciliation and arbitration that we shall see an honourable resolution to this dispute. Ms President, I seek leave to have incorporated in *Hansard* a table that was presented at the TAFE Teachers Association annual meeting in Sydney on 2-5 January 1987. The table was accurate to that time but, if there were any changes in working conditions in the various States since then, clearly the document would need updating. The document is headed 'TAFE Comparative Working Conditions' and it compares the conditions of TAFE teachers in South Australia with those in all other States.

Leave granted.

TAFE COMPARATIVE WORKING CONDITIONS
LEAVE PROVISIONS

	S.A.	W.A.	Qld	N.T.	A.C.T.	N.S.W.	Vic.	Tas.
1. *Recreation Leave* Time granted	4½ days per calendar month = 49 days per year	2 weeks May 2 weeks Sept. 8 weeks Dec.-Jan.	4 weeks entitlement 6 weeks concessional	6 weeks + 4 weeks paid standdown	4 weeks and paid standdown during school vacations or equivalent (7-8 weeks)		Gazetted holidays 2 weeks May 2 weeks September 6-5 weeks Dec.-Jan.	2 weeks June 2 weeks Sept. 8 weeks Dec.-Jan.
Professional Support Teachers	Secondees to get allowance	Varies depending on study area and institution			Counsellors, librarians, etc., are not teachers and do not get teachers leave provisions. Media curriculum computing staff development are teachers and get full teachers' conditions.	Councillors 7 weeks Others 10 weeks or administrative allowance	CSS similar to $750 allowance not VPS negotiated yet	Depends on circumstances
Work in gazetted holidays	Leave taken at time convenient to college	Varies depending on study area and institution	Negotiated at local college level. In practice overtime or time in lieu granted.		Principal may vary time of annual leave and, if so, time taken later in lieu. Most classes conducted during standard term time.	Agreement with union centrally.	Negotiated and agreed on individual teacher basis at local level	Negotiated
Rate of accrual	Leave can only be carried over with approval of the DGE		No carry over of leave		Officially, annual leave accrues over a full teaching year. All new teachers are entitled to paid leave.	1 weeks vacation for each 4 weeks duty or paid leave. Unpaid leave affects vacation payment.	Must work for 1 month before end of third term to get pay for Dec.-Jan vacation and report for service Day 1 Term 1.	Entitlement falls due at each term conclusion

RECRUITMENT, ASSESSMENT AND PROMOTION PROCEDURES

	S.A.	W.A.	Qld	N.T.	A.C.T.	N.S.W.	Vic.	Tas.
3. *Promotion Procedures* (continued) (c) *Appeals Procedures* Are promotions subject to appeal?	No	Yes	Yes	Yes	Yes—only for appointments from within the Commonwealth Teaching Service (TAFE). No appeal on transfer at same level	Yes—for internal appointments only	Only if appointee comes from within the Public Service Teaching Service or TAFE Teaching Service	Yes
Appeal procedures			1. Promotions Board 2. No appeal on transfer at same level, or by teacher holding same level	1. CTS (TAFE) Appeals Board 2. Union representation	Union representation		TAFE Teaching Service Appeal Board. Elected teacher representative	TAFE Teachers Appeal Board: 2 elected teacher representatives 1 administration 1 chairperson (outside Education Department)

TEACHER ATTENDANCE TIME

	S.A.	W.A.	Qld	N.T.	A.C.T.	N.S.W.	Vic.	Tas.
1. *Weekly Hours of Attendance*	35 hours including meal breaks	30 hours Minimum 4 days attendance	32 hours 5 days attendance required	30 hours Minimum 4 days attendance	30 hours excluding meal breaks. Minimum 4 days attendance	30 hours excluding meal breaks. Minimum 4 days attendance	(a) Attendance requirement: 30 hours Availability for duty requirement: 35 hours voluntary additional 3 hours (b) No set weekly hours/days attendance (c) 9 a.m.-4 p.m. attendance (incl. lunch) (d) Time off in lieu for teaching between 4-5 p.m. (e) 4 hours teaching outside 9-5 = 1 day off in lieu	30 hours

TEACHER ATTENDANCE TIME

	S.A.	W.A.	Qld	N.T.	A.C.T.	N.S.W.	Vic.	Tas.
2. *College Year*	50 weeks—colleges closed Xmas-New Year leave take at time of convenience to DTAFE. (In practice generally standard vacation periods.)	48 weeks—Variation to working/leave periods by negotiation.	50 weeks—Variation to vocation periods legally at direction of principal. In practice by mutual agreement.			Provision for teaching in special programs by agreement in negotiation with NSWTF.	50 weeks—colleges closed 2 weeks late Dec.-early Jan. Variation to teaching/leave periods subject to individuals agreement.	
3. *Prescribed Teaching Loads*	24 hours maximum (all teachers)	Lecturer A: 16-23 hours Lecturer B: 21-23 hours Lecturer C: 22-23 hours	21 hours By arrangement. Instructors Division I 17 hours (not award provision)	20 hours	(a) Trade, Secretarial, Home Science, Fashion (excluding certificate level): 20 hours (b) Technician level, General Studies and Education: 18 hours	(a) Teachers of Trades, Fashion, Secretarial Studies, Home Science: 20 hours (b) Technician Level and General Studies: 18 hours	18 actual or 20 daylight equivalent (all teachers). Teachers may take additional hours up to 22 hours maximum in lieu of approved other duties.	Category A: Trade and Other Certificate—21 hours Category B: General Studies—18 hours Category C: Technician—15 hours
4. *Variations/Reductions in Prescribed Teaching Loads* (a) *Automatic Reductions* (i) Promotion/Supervision	Senior Lecturer (1st promotion step) 0.5 reduction Deputy Head (2nd promotion step) 0.75 reduction		No award provision. Senior Teachers, Head Teachers and Officers in Charge are not required to teach. In practice, senior teachers teach no more than 10 hpw.		Band 2 (1st promotion step) maximum 14 hpw Minimum teaching 10 hpw and may pass on automatic reductions above hours to a Band 1 teacher Reductions granted for (a) General Supervision 1 hours reduction at 80 supervised	Head Teacher (1st promotion step) reduction to 14 hours (supervising 60-90 hours) Senior Head Teacher (2nd promotion step) (i) reduction to 12 hours (supervising 90-130 hours) (ii) reduction to 10 hours (supervising)	Reductions for all promotions positions are determined at college level and are not automatic	Senior Teacher Category A: 18 hours Category B: 15 hours Category C: 14 hours Head Teacher except Tech- Category A: All nicians—12 hours Category B Technicians: 10 hours Head of School Category A: 9 hours Category B: 8 hours

	S.A.	W.A.	Qld	N.T.	A.C.T.	N.S.W.	Vic.	Tas.
5. *Daylight Equivalent* Is Daylight Equivalent available?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
On what basis?	Hours after 5 p.m. and weekends: time and a half	Teaching hours after 5.30 p.m.: time and a half	As for N.T. and Saturday teaching: time and a half	Teaching hours after 6 p.m.: time and a half. If class begins at 5 p.m. and extends beyond 6.30 then entire period is counted as time and a half	Time and a half for any class which extends beyond 6.30 p.m. or commences at 6 p.m.	As for N.T.	Teaching hours outside 9-5 Monday-Friday: time and a half	Teaching hours after 5 p.m. and week-ends: time and a half
6. *Overtime* Is overtime available?	No	Yes	Yes		Yes	Yes	Yes	Yes
Maximum amount of overtime available		Usual limit of 4 hours weekly. Principal can approve up to 6 hours. Greater than 6 hours must be approved by Deputy Director of Technical Education	Overtime teaching shall apply as follows, in special cases.		Principal may require and approve 4 hours (theory classes) and 6 hours (practical classes).	Principal grants automatic approvals up to 6 hours; greater than 6 hours requires head office approval.	4 hours maximum or more if agreed to by teacher and union branch and after other alternatives explored.	Principal approves up to 6 hours. Deputy Director (TAFE) must approve more than 6 hours absolute maximum of 10 hpw.
6. *Overtime* (continued) Is overtime available?			(i) 4 hpw when only day teaching is involved; (ii) 15 hpw for 3 weeks when day and evening teaching is involved; (iii) 12 hpw for an extended period from 4 to 13 weeks when day and evening teaching is involved.					
7. *Week-end Work* Can week-end work be part of weekly attendance time?	Yes	Saturday morning	Saturday	Yes	Yes	Yes	Yes, but not beyond 3 hours	
How is week-end work calculated for daylight equivalent purposes?	Time and a half	Time and a half	Time and a half	Saturday: time and a half Sunday: time and three-quarters	Saturday: time and a half Sunday: time and three-quarters	Time and a half	Time and a half	
Can week-end work be paid as overtime?	No Time off in lieu granted		Yes	Yes	Yes	Yes	Yes	

The Hon. R.I. LUCAS: Members can read *Hansard* and go through the details. I want to refer to two matters in the table. The first is the prescribed teaching loads of TAFE teachers. In South Australia the prescribed teaching load is 24 hours maximum for all teachers. In Western Australia, for lecturer category A it is 16-23 hours, category B it is 21-23 hours, and for lecturer category C it is 22-23 hours. In Queensland it is 21 hours by arrangement. In the Northern Territory it is 20 hours and in the ACT it is 20 hours for trade, secretarial, home science, fashion, excluding certificate level lecturers. Another category of 18 hours is for the technician level, general studies and education.

In New South Wales the first category is for teachers of trades, fashion, secretarial studies and home science, 20 hours. Technician level and general studies is 18 hours. In Victoria, 18 actual or 20 daylight equivalent for all teachers and teachers may take additional hours up to 22 hours maximum in lieu of approved other duties. In Tasmania there are three categories: category A for trade and other certificate, 21 hours; category B, general studies, 18 hours, and category C, 15 hours.

It is clear from that comparison of prescribed teaching loads throughout the States that the prescribed teaching loads in all the other States are of a lesser nature (as to the number of hours) than exist for the maximum in South Australia. Admittedly, the maximum in South Australia is a maximum and there is a variation of between, allegedly, 15 and 24 hours. The Institute of Teachers advises me that for every teacher with a prescribed teaching load of 15 hours there are between five and 10 teachers who are currently working at 24 hours, which is three hours more than the level that the Government is trying to institute by way of these regulations.

The Hon. C.J. Sumner: They don't have to bother then.

The Hon. R.I. LUCAS: The Attorney-General obviously supports the stance taken by the Minister and the Premier's statements, which I will quote in a minute—

The Hon. C.J. Sumner: Absolutely.

The Hon. R.I. LUCAS: Absolutely—that is very good. It will be very interesting when those statements are quoted back to the Attorney, who I hope will hang around and will not leave the Chamber. It is interesting to note that most other States recognise that there are different categories and classifications of courses existing within TAFE. It is simplistic of the Government and the Minister of Employment and Further Education (and the Attorney-General has jumped in feet first) to believe that it is an homogenous teaching population and course load and therefore prescribed teaching load that can be made available within the TAFE teaching courses. One has only to look at the Mills report to see the differing nature and flavours of our TAFE colleges in South Australia to see that that is not true.

If one looks at the other States, it is quite clear that, for example, in Tasmania some certificate courses have a prescribed teaching load of 21 hours. In that State it is accepted that the technician lecturers have only 15 hours and the general studies lecturers are somewhere in between at 18 hours. In the ACT, for example, technicians and general studies lecturers also have a prescribed teaching load set out which is somewhat less than some of the other lecturers. In fact, it is 18 hours in the ACT as compared to 20 hours in the other areas. In New South Wales, again, technician level and general level studies lecturers have prescribed teaching loads of 18 hours as opposed to other lecturers with 20 hours.

The point I make is that the Minister, in his simplistic approach to this whole dispute, and the arrogant way that the Government has gone about it completely ignores the fact that all other States recognise the differing loads and work loads of the lecturing staff in TAFE and that there are certain lecturers and classifications of lecturers who must be recognised by having differing lecturing loads in the prescribed teaching load.

The Hon. C.J. Sumner interjecting:

The Hon. R.I. LUCAS: I will get to that in a moment. I have received deputations from most TAFE staff, even those who are working 24 hours a week, and they have been accompanied by those who are working fewer than 21 hours a week. They have said to me quite openly, 'Look, we accept that there are some lecturers and there are some courses where it is just not appropriate to prescribe the same teaching load as there is for those other individual lecturers.' Some of those lecturers who do 24 hours a week have said, 'Look, we have 10 students in our particular courses and some of the lecturers who have a prescribed teaching load of fewer than 21 hours have somewhere between 25 and 30 students and therefore in any negotiations there should be a loading to take into account the different student-hour loads'. That is the only point that I seek to make about the prescribed teaching loads.

As I indicated before, I believe that there must be a compromise as to all parts of the package between both sides, and that will mean changes in working conditions. The simple point that the Opposition makes and continues to make—and I hope that we will be supported by a majority in this Chamber—is that there is a proper way of going about these changes. To go about these changes in the unilateralist fashion adopted by Minister Arnold and the Bannon Government is inflammatory and arrogant and would not be acceptable to the unions that the Hon. Terry Roberts represents.

The Hon. C.J. Sumner interjecting:

The Hon. R.I. LUCAS: The Attorney should ask Terry Roberts, Trevor Crothers and George Weatherill whether the Miscellaneous Workers Union or the Metal Workers Union would accept their employers' unilaterally reducing their working conditions. The Attorney should get a response from his backbench. We have heard three or four members speak in the Address in Reply debate about the proper role of unions representing the rights of unionists and protecting the working conditions of the staff and the workers. Let us see the Attorney-General and the arrogant and inflammatory Minister of Employment and Further Education discuss this with backbench members opposite who represent miscellaneous workers. Where do you come from Trevor—the liquor trades?

The Hon. Trevor Crothers: You got it.

The Hon. R.I. LUCAS: I got it—it is the liquor trades; and the Hon. Terry Roberts comes from the metal workers. Let us just see whether these former trade union representatives and now members elected to represent the interests of unionists would accept from employers the unilateral stance adopted by the Attorney-General and the Minister of Employment and Further Education. We get stony silence from the Attorney-General and from the members opposite whom I have named because the simple answer is that no self-respecting unionist or union representative in South Australia or in Australia would accept that unilateral stance from an employer. It would be 'everybody out' if that attitude were adopted in relation to the liquor trades, miscellaneous workers or the metal workers.

In conclusion, I refer to some statements made by Premier Bannon. As I have indicated publicly, one of the problems in this dispute is that because of the calculated and concerted and sometimes vicious campaign of misinformation conducted by the Bannon Government, repre-

sented by the Minister of Employment and Further Education (and now followed by Premier Bannon), there is the perception in the community that TAFE lecturers are a mob of bludgers and that they work for only 15 hours—it has gone from 15 hours contact time now. If one listens to talk-back radio programs, and particularly the Bob Byrne Show on 5DN from 9 p.m. until midnight (as do all self-respecting politicians, I am sure), one can hear people ringing in and saying, 'But they work for only 15 hours a week'. The contact time provision has gone. It is now the perception among some members of the community that TAFE lecturers are a bit like politicians—they are a mob of bludgers who are paid too much, do not work enough and in general work only 15 hours a week.

The Hon. K.T. Griffin: That is not a fact, though.

The Hon. R.I. LUCAS: It is not a fact for politicians, either, as the Hon. Trevor Griffin would know. However, that perception exists in the community because it is an easy deception to paint and it is an easy headline to follow up. As I said, it has been a calculated, concerted and vicious campaign of misinformation by the Minister of Employment and Further Education and the Premier. Let us look at what Premier Bannon said this week on the Philip Satchell Show, and let us see what grasp Premier Bannon has on this particular dispute. I have a transcript of the Philip Satchell Show—

The Hon. K.T. Griffin: He can't take the pressure.

The Hon. R.I. LUCAS: Premier Bannon cannot and certainly the Minister of Employment and Further Education has not been able to if one looks at the petty matter raised in the House of Assembly yesterday, but we will pursue that on another occasion. Basically, Premier Bannon said, 'Look Philip, we have been very reasonable in all of this and we have been talking to them.' Premier Bannon then went on to say:

> There was in fact a very strong feeling that we ought to go back to our basic claim—

this is the Government, and what was its basic claim—

> . . . which was to say, you know, four weeks annual leave not six and things of this nature. Demand a full 38-hour week of contact time.

This is Premier Bannon; this is Attorney-General Sumner; this is the Cabinet. The Government's original position according to Premier Bannon was for a full 38-hour week contact time for TAFE lecturers. What an absolute joke! Does not Premier Bannon know anything about education and further education? Does the Attorney-General not know anything about contact time and workloads of teachers and lecturers? Premier Bannon is saying, in a calculated and concerted campaign to smear TAFE lecturers, that the basic position of the Bannon Cabinet was for a full 38-hour week of contact time. As I said, that it is an absolute joke to believe that TAFE lecturers or teachers or anyone involved in education or further education should have a 38-hour week contact time.

The Hon. C.J. Sumner interjecting:

The Hon. R.I. LUCAS: Attorney-General Sumner says, 'That's all right'. Let's put that on the record: Attorney-General confirms that a 38-hour week contact time for lecturers or for teachers is all right. That will be an interesting matter that we can debate with the South Australian Institute of Teachers in relation to contact time and non-contact time for teachers in primary and secondary schools. That is part of the Government's campaign, a further example of an attempt by the Bannon Government, including Minister Arnold, to smear TAFE lecturers. In that Philip Satchell show Premier Bannon also said:

> They [lecturers] are able to escape with, in some cases, around 10 contact hours per week.

Even Minister Arnold has not gone that far. Minister Arnold, in attacking TAFE lecturers, has said that there are some bludgers who are only doing 15 hours a week.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: Here we have Premier Bannon saying that they are doing 10 hours a week. It would be interesting if the Hon. Carolyn Pickles would now indicate whether she supports Premier Bannon and Attorney-General Sumner in saying that the basic claim should have been for 38 hours a week contact time. Is she going to join the slave drivers of centuries ago? The union representatives in this Chamber, Terry Roberts, Trevor Crothers, and George Weatherill, have said on many occasions that unions have fought strongly against this sort of thing in the private sector. 'Sweated labour' is the phrase we have heard in this Chamber. We have heard about exploitation of the masses, and looking after the conditions of the workers.

Members interjecting:

The Hon. R.I. LUCAS: Would it happen in Russia? Of course it would not happen in Russia. Education and further education are accepted as a way of raising the masses in Russia, but what do we have from this conservative Bannon-Sumner-Arnold Government? They want a 38-hour week contact time for lecturers and teachers in education. Now we have Premier Bannon saying on the Philip Satchell Show that there are some of them who have only 10 contact hours per week. I will be interested in the response from the Minister of Tourism, which I am sure will have to be written for her. We want examples of lecturers, courses, and the colleges where only 10 hours per week are being spent in contact time.

Even Minister Arnold in his most inflammatory and arrogant stance which he adopted earlier in this dispute, could come up with only 15 hours a week. Premier Bannon has gone five hours better: he has got it down to 10 hours a week. If we ask Barbara Wiese, we might find someone who is running around doing five hours a week in the TAFE system. That could then be used to smear the vast majority of workers and TAFE lecturers in the TAFE teaching system.

Let me give one last example of this campaign of misinformation. Once again I refer to Minister Arnold. I have a transcript of Minister Arnold and Bob Jackson on the Leigh Hatcher show on 5DN, 'Breakfast in the Mornings'. We have Minister Arnold accusing the South Australian Institute of Teachers, as follows:

> Arnold: Broke the tradition that unions in this State have had in the public sector. And the Public Service Association have an agreement that they will not involve managers in management positions in industrial disputes. SAIT have just . . .
> Jackson: There is no such agreement.
> Arnold: It's a tradition, and you last week . . .
> Jackson: A tradition, which tradition?
> Arnold: Your officers last week . . .
> Jackson: You show me an example of where that tradition applies. No such tradition exists. You're . . . that's just advice from your senior public servants which you have swallowed. There is no evidence to that.
> Hatcher: Mr Arnold, can you explain what the tradition is then?
> Arnold: The tradition that the Public Service Association has that they will not involve senior managers in industrial disputation matters.

That is one last example where supposed agreements that unions have had suddenly become tradition. That is quite clearly a further example of this concerted campaign of misinformation and denigration against TAFE lecturing staff in general and against the representatives of the South Australian Institute of Teachers on this occasion.

I urge members in this Chamber to disallow these regulations and accept the basic premise of my Party that this matter was before the Industrial Commission. There has to

be give and take on both sides, and no-one ought to be able to dig themselves into their own trenches. There has to be give and take and that will mean some changes in working conditions. I am sure that, if the proper procedures of arbitration and conciliation are followed, the vast majority of TAFE staff and students will support that process and those outcomes. I urge support for the motion.

The Hon. M.J. ELLIOTT: I have a motion in identical terms on the Notice Paper, but to keep the debate together I will speak now rather than to the motion that I have on notice. I will also endeavour to speak at not quite the same length as the Hon. Mr Lucas, who manages to make a long speech whether he is right or wrong. I have not had personal experience in the TAFE system, but was a teacher in the Education Department for nine years, and I have a great deal of sympathy with the people in the TAFE system in the light of what is now occurring. It is clearly beyond dispute that decisions have been made for economic and not for educational reasons. It is demonstrable that educational standards in TAFE will decline in response to what the Government is proposing under these regulations.

Conditions of TAFE lecturers have been brought about by arbitration, a system which I was led to believe that the Labor Party and unions supported. We now find a situation in which unions continue to support arbitration but the Labor Party obviously does not.

An honourable member interjecting:

The Hon. M.J. ELLIOTT: The conciliation process had not finished before the Minister had stuck his whopping great foot into the whole system and destroyed the conciliation. It then required arbitration and he then tried regulation to overcome the whole lot. I find it surprising to see a Labor Government acting in this way. I am extremely concerned by the move of the Minister to shift staff, especially principal, from the TAFE Act to the Government Management and Employment Act. It is the thin end of the wedge. I wonder if the Government will attempt to silence a large number of people throughout the education system by shifting them over to the GME Act.

The Minister has run a campaign of innuendo which is almost beyond belief—certainly beyond the belief of anyone who knows what goes on within the education system. He has given the impression that TAFE lecturers have been featherbedding and, in particular, he has talked about the number of hours of contact time. He has displayed no willingness at all to ascertain the facts about teaching. A lecturer or teacher finds himself involved not only in that straight contact time but also in the preparation of lessons, aids, notes and test materials, and the marking of weekly and end of semester assignments. The lecturers need to keep up to date in their field, and many of the fields in which TAFE is involved are rapidly changing. They are also involved in student liaison. TAFE lecturers, although not too involved in disciplinary fields, are very much involved in individual counselling. Sometimes that counselling goes beyond the simple subject work, but that is a reality for anyone who is working in education and predominantly with younger people. Even in TAFE these days, many of their clients are now straight from school and many are still of school age. The TAFE lecturer will be involved in industry liaison, representation on professional bodies such as the Marketing Institute and the Advertising Institute—

The Hon. C.J. Sumner: Anything but teaching.

An honourable member: Put that on the record.

The Hon. M.J. ELLIOTT: I would put that on the record: 'Anything but teaching,' says the Attorney-General.

The Hon. C.J. Sumner: Fifteen hours is adequate, is it? You are happy?

The Hon. M.J. ELLIOTT: If you think that 15 hours of standing in front of a class is the only work that TAFE lecturers do, you are very much mistaken. I am, in fact, going through the list of duties with which they become involved, and you can challenge—

The Hon. C.J. Sumner: You are suggesting that 15 hours is adequate. Is that what you're saying?

The Hon. M.J. ELLIOTT: The great majority of TAFE lecturers are teaching a great deal more than 15 hours.

The Hon. C.J. Sumner: Then there's nothing to worry about: there is no problem.

The Hon. M.J. ELLIOTT: The 15 hours have been reached by arbitration—in fact, something like 15 years ago. For the majority of that time there has been a Labor Government in place. Why on earth after 15 years has this sudden desire come upon the Labor Government to act in this manner? Many TAFE lecturers will find themselves involved in curriculum development. They are involved in the coordination of part-time instructors.

Many lecturers are also required to be involved in the preparation of budgets and the implementation of new elements in courses. With a new course, quite often the first job is to write that course, to trial it and, usually, to alter it. One is also involved in the keeping of student records. I have seen many Parliamentarians seethe when they are accused of being lazy, of being bludgers, and of working for only 40 or 60 days a year—and then only for three hours a day. In fact, we know that that is only true of Ministers, but the average Parliamentarian does much more work than that.

If it is true that there are bludgers in the system, then the Minister should take the requisite action to discipline those people who are bludging. The Minister, I think, is quite clearly unable to do that. He made attacks upon the business studies lecturers, for instance, who are producing 12 000 student hours per annum per lecturer, while the approved departmental productivity measure is 8 000 student hours per annum per lecturer.

Since 1983 we have seen lecturer numbers increase by 23 per cent, and in the same period the number of student hours has increased by 36 per cent. I would say that under the two-tier system that is now available, and with that massive increase in productivity they could perhaps make a claim for improved conditions. The head office of TAFE has over the past 12 years been involved in a massive amount of empire building, with an increase of staff of 344 per cent in 12 years. Perhaps the biggest problem is that so many of these people in head office know nothing about TAFE itself.

The top echelons of TAFE are run by people who have not been lecturers and do not know how the system works. They are the people who are advising the Minister. Whenever I have watched *Yes, Minister* over recent years, I have learned to appreciate it more than ever, because it is so true: the Ministers do not know what they are doing and they are being manipulated by people who often do not know what they are doing.

The concept of tutor/demonstrators, however, is the ultimate in half-baked ideas. The simple fact is that, if the long list of jobs that are intended to be given to tutor/demonstrators are in fact given to them, our lecturers will become less efficient rather than more efficient. If one puts a tutor/demonstrator in charge of marking, who instructs the tutor/demonstrator on what answers are acceptable and what are not? Quite obviously, the lecturer then gets involved in briefing the tutor/demonstrator. If the tutor/demonstrator

is involved in practical classes, are the techniques involved compatible with what is being taught? The lecturer, once again, will be involved in that.

The lecturer would spend so much time looking after the tutor/demonstrator that very little of the other work that he needs to do would be done. Yet, according to the recommendations from the top echelons of TAFE, 25 per cent of all staffing in TAFE colleges would be tutor/demonstrators. Quite frankly, they do not know what they are talking about. We will see a serious decline in educational standards. I am forced to think that we can draw a direct comparison between Chairman Mao in China during the Cultural Revolution, when he introduced the concept of the barefoot doctor, with Chairman Lynn and his barefoot lecturers, trying to get them on the cheap. When one takes on people with a severe lack of knowledge, the inevitable result is a decline in standards.

The Hon. T. Crothers: Give them a foot and they'll take a yard.

The Hon. M.J. ELLIOTT: I presume that the honourable member is talking about the Minister. Compulsory staff development has also been proposed for several weeks a year. I do not know whether the Government has sat down and done its costings on that because, quite simply, the courses do not exist at this stage. A great deal of time and effort will now have to be spent on development of courses, as well as on facilities and materials for those courses, and I am led to believe that this compulsory staff development will be a very expensive exercise. The concept of staff development itself is something that all lecturers would applaud. Many of them are now doing it in their own time.

It is one of the many things that lecturers do in what one calls their own time although, of course, we need to recognise that what we have is not wage earners but salary earners. When one is on a salary, one's hours can be almost limitless. Talking about 15 hours or 18 hours or whatever is absolutely arrant nonsense.

I say in conclusion that the proposed changes involve economic reasons and not educational reasons. In fact, they will produce negative results. The right way for this dilemma to be resolved is via arbitration, and perhaps it might be worth reminding the Minister that he once had to take on the Government. He led the moratorium marchers, and he might have noticed that there are marchers in the streets again. This time he is the one who is standing condemned by those people who are marching. People who would normally be taken to be extremely conservative have been involved in their first demonstrations because of the increasing arrogance not only of Minister Arnold but also of the Labor Government, as was alluded to in the press only a couple of weeks ago. In so saying, I support the motion to disallow the regulations.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

LOW INCOME HOUSING

Adjourned debate on motion of Hon. M.J. Elliott:

1. That a select committee be appointed to consider and report on the availability of housing, both rental and for purchase for low income groups in South Australia and related matters including—

(a) Housing for young people, especially those under the age of 18 years whose only income often is derived from the Department of Social Security.

(b) Housing for lone parents and married couples with children dependant on the Department of Social Security.

(c) Single people over the age of 50 years.

(d) The role of the South Australian Housing Trust in providing accommodation for all age groups.

(e) The role of voluntary groups in provision of accommodation for all age groups.

(f) The role of the Department for Community Welfare in advocating for accommodation for all age groups.

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

3. That this Council permit the select committee to authorise the disclosure or publication as it thinks fit of any evidence presented to the committee prior to such evidence being reported to the Council.

(Continued from 12 August. Page 127.)

The Hon. M.J. ELLIOTT: Only a few days ago a paper entitled *Homelessness isn't necessarily houselessness* crossed my desk. It contained a number of quotations which I think are worth sharing in this debate, as I think that they are extremely relevant. The three concepts of liberty, equality, and fraternity have dominated social theory in the Western World and, for a long time, there have been those who have argued that liberty is the key to bringing fulfilment for people and fulfilment of the goals of society.

Socialists have tended to support equality as the key to social change and the means by which the future of humanity can be achieved. But what is being forced on us at the moment is the realisation that, unless we discover fraternity in a new and deep way, both liberty and equality will be placed seriously at risk.

I think that we are in such times and that the problem we are seeing in relation to homelessness or houselessness is an indication of these changing times and that we need a reassessment. New Testament writers used to talk about koinonia or a shared life. Loss of this shared life is not simply a function of economics. In fact, Dr Don Edgar, Director of the Institute of Family Studies, says that the people in the more wealthy suburbs and professions particularly find 'that family roles are difficult to reconcile with full-time high status work'. It was in that context that he went on to say that society has failed to invest adequately in the human capital of childhood; in other words, children are increasingly growing up in an environment where they are feeling unknown.

A company manager who spends his spare time running a local refuge for kids has said that there is simply not enough emergency accommodation to go round, that most of our kids come from houses, not homes, and that it is not uncommon for teenagers to be given $200 on Friday night and to be told, 'See you Monday.' He said that anything that happens at St Kilda or Broadmeadows in Melbourne happens here. Perhaps D.H. Lawrence was partly right when he predicted in *Kangaroo* that our mad struggle for material necessities and conveniences would lead to the inner soul withering till it became an exterior for display. Froma Walsh in her book *Normal Family Process*, sums it up in this way:

> The current shift in values has contributed considerably to the liberation of individuals. It's also eroded the resilience of the family and its ability to handle crisis.

The late Margaret Mead warned:

> We now expect the family to achieve alone what no other society expected an individual family to achieve unaided. In effect we call upon the individual family to have to do what the whole clan used to do.

My Federal Leader, Senator Janine Haines, when outlining the Democrats' policy speech for the recent Federal election, said:

> There is something rather obscene about a system which penalises the poor to make it easier for the rich to become even

richer. There is something mediaeval about arguing that welfare spending has to be cut so that businessmen can have tax free capital gains and taxpayer-subsidised lunches.

When we look at young people we should not blame them if they become fringe dwellers who develop their own sense of community as a means of survival. And do not let us be too surprised if, having taken that option, they later choose to stay in it rather than reach out again to a society that they feel rejected them. Let us not be too surprised, either, if that group of homeless young people develop their own culture and have no feeling or loyalty to mainstream Australian society. They are simply mirroring the lack of care of society for them from an early age and replacing society's lack of care with their own form of community and, in fact, they may prefer to continue living on the fringe rather than moving into more stable housing, at the cost of losing their informal community.

Australia, in fact, has something of a history of homelessness. It is interesting to note that the first white, native-born Australians were the currency lads and lasses. The first muster of the colony in 1801 saw 900 babies born of which 400 were orphaned or neglected. These were the first street kids who clung together, little groups of mates looking after each other. The British rulers of the time took no notice of them because hundreds of similar kids were wandering the streets of London. It was the so-called heathen man, the black man, who was used to picking up strays and who took them under his wing and taught them how to love the bush, how to live in a tribe and how to know companionship around the fire and how to love their native land. Maybe it is time to come together in a new way and rediscover our roots and each other. A whole generation out there tonight will be sleeping rough in disused buildings, in cars, and under schools: who cares enough to collect the strays today? The tragedy is that we have pushed the black man away. Who will care now?

I believe the words of that whole report are worth reading in detail by those who have received it across their desks. It is titled *Homelessness isn't necessarily houselessness*. We need to reflect on what we are doing to our young people. Under the International Year of Shelter for the Homeless the State Government announced a $1.8 million budget. We are waiting breathlessly to see exactly what will come from it: so far what we have seen is recycled art objects put at the end of West Terrace. The year is halfway through and they are still scratching around trying to find some money. I performed an analysis of expenditure and found that over half the money spent on the International Year of Shelter for the Homeless has gone into administration and not into doing: that is one of the failings of Governments—there are lots of happenings and very few doings going on in this society. It is time that we reversed that trend.

I leave the subject of youth homelessness to look at the problem facing people trying to get their first home or to get into a house at all. I will examine the role being played by the Land Commission. The best place to start is a letter, now two years old, which was written by Hugh Stretton who I believe is second in charge on the Housing Trust board. It states:

Tom Playford industrialised and developed South Australia chiefly by restraining the price of land. He believed land profiteering was destructive, an enemy of every other kind of enterprise.

His method was decisive. The land market should be open and competitive. But by itself that is not enough, as experience in Perth and Sydney and elsewhere proves. Even if the private developers get their broadacres cheap, they can't be expected to restrain prices and profits voluntarily, to their own disadvantage. It is their duty to their shareholders to do the best they can, and take advantage of shortages and booms in a regular commercial way.

Playford combined open marketing with low prices by guaranteeing to keep a competitive public supplier in the market, offering enough low-priced housing or developed blocks to keep the whole market efficient.

For 30 years the Housing Trust supplied up to 40 per cent of Adelaide's new land and housing. That competition restrained the prices of the other 80 per cent too.

When the trust cut its sales to concentrate on rental housing, the Land Commission took over as public supplier of low-priced blocks to homebuyers and private builders.

By those means prices throughout the market were effectively restrained through housing booms and shortages much more severe than the present one.

So what has caused land prices to more than double since 1980?

This letter is two years old and I have more recent statistics. It continues:

For the first time in 40 years, the Tonkin Government stopped the public supply.

And that Government still rules from the grave. Its Act of Parliament which turned the Land Commission into a Land Trust forbids it to supply developed blocks direct to builders and homebuyers. Instead, by sale or joint venture the land has to go to private developers, who then price their blocks as high as the market will bear in a normal commercial way.

Thus, the whole purpose of the public land supply was destroyed. The effect on prices in just four years has proved that Playford and Dunstan were right: private competition alone, without a public competitor, does no better than it does in Sydney and Perth. What can be done?

There is an urgent need for a supply of developed blocks at low prices from some of the public land holdings at Golden Grove, Munno Para, Hackham or Seaford. Then in due course the public supplier should be re-established in a permanent way.

A return to the effective Playford/Dunstan policy should appeal to people on the Labor side, and to all new homebuyers, for obvious reasons. It may be opposed by private land developers, but it is very far from being a socialist policy.

- Low-priced land benefits industrial investors.
- Through its cost-of-living effects it benefits all employers.
- It keeps the cost-of-living promises which our State Development machine is advertising to the Eastern States.
- It especially benefits private builders—$10 000 off the block price is $10 000 more house their customers can afford to buy.

That might be the difference between them building or not building. The letter continues:

- It benefits the Housing Trust's hard-pressed tenants and waiting lists.

Please, by one means or another, through Land Trust or Housing Trust, can we put the competitive public supplier back into the market?

During the past two years the Bannon Government has continued with what the Tonkin Government had put in place. The result is that we saw building materials increase by about 22 per cent, housing prices increase by 33 per cent, and the price of allotments increase by a massive 70 per cent during those two years. This is the result of the destruction of public involvement in land development and in land sale. Public involvement, these days, is of the joint venture type, and this guarantees incredible profits to Delfin at Golden Grove as a result of an indenture which, I believe, is one of the most atrocious pieces of legislation that has gone through this place because the profits given away under that legislation were the chance for many people to own their own home.

How effectively some people are cut out of home ownership is demonstrated by the fact that 60 per cent of First Home Owner Scheme money goes to the top 50 per cent of wage and salary earners. In other words, the bottom 50 per cent of people—the half who really need the money—are not getting it. Those people are put out of reach of ever owning a home because homes are getting too expensive. Clearly, taking into account the figures I cited, one of the major impediments is land prices. Land is becoming an increasing component in the overall cost of owning a home. I will repeat those figures. While housing has gone up by 33 per cent and building materials by 23 per cent, allotments have gone up by 70 per cent. The housing increase includes

the cost of allotments so one can see that the price of land has been largely responsible for the massive increase in housing costs.

Clearly, a need for a reassessment exists and that is one of the many reasons I put forward for a select committee to look into the problems of housing and the many guises those problems have. I seek the support of other members of this Council.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

WEST BEACH RECREATION RESERVE BILL

The Hon. C.J. Sumner, for the **Hon. BARBARA WIESE (Minister of Local Government)**, obtained leave and introduced a Bill for an Act to provide for the administration and development of the West Beach Recreation Reserve; to repeal the West Beach Recreation Reserve Act 1954; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

This Bill repeals the West Beach Recreation Reserve Act 1954. It restructures the controlling authority of the reserve, the West Beach Trust, and more clearly defines the powers of that body so that it may more effectively deal with contemporary developments in the reserve area.

The West Beach Recreation Reserve comprises some 160 hectares of land immediately west of the Adelaide Airport bounded by Tapleys Hill Road, Anderson Avenue, the coast and West Beach Road. The reserve and its controlling authority, the West Beach Trust, were created by the West Beach Recreation Reserve Act in 1954. The land at that time was held by the South Australian Housing Trust and it was intended to develop it for housing. However, the Government of the day recognised the value and potential of the land as open space for recreation purposes rather than a closely settled urban area.

The trust was given power to carry out works on the reserve, to erect buildings and otherwise improve the reserved area. It was given power to grant leases and licences over parts of the reserve and buildings. During the 30 years of the operation of the reserve there has been significant development.

It now provides an impressive scale of tourist accommodation with a caravan park, caravan village and villa units as well as catering for a wide range of recreational activities including golf, softball, baseball, yachting, soccer and tennis. This area is also known to many people as the site of Marineland, an educational-entertainment facility exhibiting sea mammals and other South Australian aquatic life.

The income of the reserve from the various activities now exceeds $2 million and assets are valued in excess of $4.5 million. Since its inception the trust has relied on its own funds for development activity.

In framing the original legislation it was intended that membership of the trust would comprise the three councils whose areas abutted or were contained within the reserve, namely, Henley and Grange, West Torrens and Glenelg. The Henley and Grange council later withdrew from the scheme. The trust was comprised of a chairman and six members with a term of office of three years. The Glenelg and West Torrens councils each provided three members and the chairman was appointed by the six members of the trust. The members could be either members or officers of their respective councils. In 1973 an amending Bill made changes to the composition of the trust and the Minister of Local Government was given the power to appoint three members of the trust, including the chairman. In addition, two members were nominated by each of the two councils, one being a member and the other an officer. These appointments were made after consultation with the Minister of Local Government.

There has been increasing pressure for more diversified development on the reserve in recent years. The trust has recognised the need to move away from purely recreation activity and a significant tourism accommodation and entertainment complex has been established to cater for the ever-increasing demand from interstate and local tourists.

The increasing complexity of the functions of the reserve and the growing number of visitors has also created greater demand for facilities such as shopping venues and other services. The trust is aware that such facilities must be provided in accordance with appropriate planning principles and be aimed at the tourist.

In view of these significant changes since the Act was proclaimed in 1954 the trust commissioned consultants to prepare a future development plan. The consultant's report was presented to the trust in May 1985. It recognised that the progressive development of trust lands had created a tourism and recreational asset of State, not simply local, significance. The report made recommendations on land use for the reserve, and also important recommendations on management matters and the composition of the trust itself.

The report recommended that the trust comprise of seven members with four appointed by the Minister and three from local government, being the councils of West Torrens, Henley and Grange, and Glenelg. The report emphasised that such a structure would maintain and broaden local government involvement but most importantly would allow the introduction of wider managerial and tourism development expertise to more effectively oversee the future development and management of the reserve.

The Bill seeks to implement the consultants' recommendations in this regard. The Bill also establishes the aims of the trust in the development of the reserve as a resort and recreation complex for the use and enjoyment of the public and defines its functions and powers. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 provides for the commencement of the Act.

Clause 3 repeals the existing West Beach Recreation Reserve Act 1954.

Clause 4 is a definition section. 'The reserve' is defined to include the land vested in the West Beach Trust ('the trust') pursuant to the repealed Act, and any other land owned or leased by the trust, or land of which the trust has the care, control and management.

Clause 5 provides for the continued existence of the trust, established under the repealed Act, as a body corporate.

Clause 6 makes the trust subject to the control and direction of the Minister.

Clause 7 provides that the trust will consist of seven members appointed by the Minister; of whom four will be persons who have experience in such fields as will, in the opinion of the Minister, assist the trust in the performance of its functions, and three will be persons appointed after consultation with the three constituent local council bodies.

Clause 8 details the conditions of membership of the trust. The term of office of a member of the trust is a period not exceeding five years. Members are eligible for reappointment on the expiration of a term of office.

Clause 9 permits the payment of allowances and expenses to members of the trust.

Clause 10 requires a member of the trust who is directly or indirectly interested in a contract or proposed contract made by, or in the contemplation of, the trust, to disclose the nature of his or her interest to the trust and abstain from taking part in any deliberations or decisions of the trust in relation to that contract.

Clause 11 sets out the procedures to be observed in connection with meetings of the trust.

Clause 12 validates acts or proceedings of the trust that may take place when the trust has a vacancy in its membership, or where there is some defect in the appointment of a person to the trust. Members of the trust are also provided with personal immunity from liability for any act or omission done in good faith and in the exercise of powers or functions, or in the discharge of duties, under the Act.

Clause 13 specifies the general functions and powers of the trust. The two principal functions of the trust are to administer and develop the reserve as a sporting, cultural and recreational complex and as a tourist attraction and resort.

Clause 14 provides that part of the foreshore between the low water mark and the part of the western boundary of the reserve that borders the sea will continue to be under the care, control and management of the trust.

Clause 15 creates the office of chief executive officer of the trust and provides for the appointment of such other officers and employees of the trust as are necessary for the administration of the Act.

Clause 16 determines the manner in which dealings with money of the trust are to be conducted.

Clause 17 requires the Auditor-General to audit the accounts of the trust at least once in every year.

Clause 18 permits the trust, with the Minister's authorisation, to provide assistance by way of a payment, loan or guarantee of a loan to any other person towards the cost of a specified work or specified services or facilities on the reserve.

Clause 19 requires the trust to deliver to the Minister an annual report on the administration of the Act during the previous financial year. The Minister must cause a copy of such report to be laid before each House of Parliament within 12 sitting days of receipt of the report.

Clause 20 provides that no stamp duty is payable on instruments of conveyance to the trust.

Clause 21 exempts the trust, and all property of the trust, from any rates or taxes payable under the Land Tax Act 1936; the Local Government Act 1934; the Pay-roll Tax Act 1971; the Waterworks Act 1932, or the Sewerage Act 1929; and any other prescribed rate, tax, charge, levy or impost.

Clause 22 provides that a person who unlawfully damages, destroys or removes any property of the trust is guilty of an offence, punishable by a fine of up to $2 000 or imprisonment for up to three months.

Clause 23 provides that offences constituted by the Act are summary offences.

Clause 24 provides, in subsection (1), that any of the land within the reserve may be resumed by proclamation, if the Governor is satisfied that such land is required for a public purpose. Subsection (2) vests any land so resumed in the Crown. Subsection (3) provides for compensation to be paid for any buildings or improvements made on any land so resumed.

Clause 25 permits the Governor to make regulations pursuant to the Act.

Subregulation (2) fixes the maximum penalty for breach of, or non-compliance with, the regulations, at $1 000. Subregulation (3) is an evidentiary provision. It places the onus of proof on the owner of a vehicle in proceedings for an offence against the regulations. Subregulation (4) permits the expiation of offences against the regulations, by the payment to the trust of an amount specified in an expiation notice.

Schedule 1 is a plan of the lands currently comprising the reserve.

Schedule 2 is a transitional provision in relation to the membership of the trust.

The Hon. DIANA LAIDLAW secured the adjournment of the debate.

JUSTICES ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

It proposes an amendment to section 106 of the Justices Act 1921 dealing with committal proceedings. The Bill provides a restatement of section 106 with amendments to allow for a child's evidence to be presented at a committal through a person who took the child's statement. The amendments arose out of the recommendations made by the Government's Task Force on Child Sexual Abuse. Other legislative amendments arising from the report are being finalised and should be introduced into Parliament shortly.

The amendments to the Justices Act are being addressed separately because of the increasing number of cases where young children are being required to attend at committals to give oral evidence. This is seen as highly undesirable and places a child witness at a considerable disadvantage to an adult witness.

At the committal hearing the evidence of witnesses can be submitted by declarations, that is, written statements which are declared and witnessed. This causes problems where a child is not considered old enough to make a declaration pursuant to section 106 (3). In such cases the only method of having the child's evidence considered at the committal is to require the child to give oral testimony.

The amendment to the Justices Act 1921 would allow the evidence of a child under 10 years of age to be admitted through the declaration of a person who took the child's statement. Where a video recording of the child's interview has been made, the video recording and a transcript of the recording verified by affidavit could be presented to the court. This procedure would allow the court to consider the transcript without having to resort to viewing the video recording in full—a process which would be very time consuming.

The proposed amendment will ensure that the statements of young children are admitted and considered at the committal hearing. The Solicitor-General has advised that, in his view, the amendments would be procedural and apply to any proceedings instituted before the commencement of the Act. The Government accepts this advice but considers that in order to remove any potential for dispute and unnecessary litigation the legislation should state specifically that the amendments extend to cover proceedings instituted before the commencement of the legislation. The Bill pro-

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

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 provides that the amendments will apply in relation to legal proceedings commenced before the commencement of the measure as well as those commenced after its commencement.

Clause 4 provides for the insertion of a definition of 'sexual offence' in the principal Act. The definition corresponds to the definition contained in the Evidence Act.

Clause 5 provides for the revamping of section 106 of the principal Act. The new provision will allow a record of interview or a video recorded statement of a child who is the victim of an alleged sexual offence to be admitted at the premiminary examination in respect of the offence.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 18 August. Page 260.)

The Hon. T.G. ROBERTS: In rising to support the motion I would like to add my condolences to those offered by other members to the families of the Hon. Don Simmons and the Hon. Ron Loveday. I would like to take this opportunity to congratulate the Hon. Trevor Crothers on making his maiden speech. He sat very patiently for quite a while holding his tongue a number of times when he felt he would have liked to interject.

The Hon. Diana Laidlaw: He's making up for it now.

The Hon. T.G. ROBERTS: However, he made sure that he conformed to the practice of this Council but, as the Hon. Diana Laidlaw said, he is making up for that now. Mr Acting President, the program outlined in the Governor's speech was very modest. It was dictated by the constraints on revenue raising brought about mainly by the falling receipts and income of the Federal Government. The alternative that the State Government has of continuing programs and raising revenue or holding taxes and cutting back programs is basically the mixture that the State has looked at in terms of the next financial year. With the problems of falling commodity prices and falling export earnings and interest rates on deficits, State Governments do not have a lot of room to manoeuvre in terms of how they raise their revenue because their rate revenue base is perhaps not as broad as that of the Federal Government.

We have a large deficit, and unpopularly high interest rates, which hopefully are on the way down. However, with the latest current account deficit figure for the last month, there will be no guarantee that there will be a rush. There might be a slow move downwards, but certainly not a rush downwards. The outlook for our main exports such as grain, coal and most minerals remains quite grim.

There does not appear to be much of a change on the horizon in terms of the State's ability to maintain some programs. There will be pressures daily on the Government. We will see whether there is a mature Opposition in both Houses—and with the Democrats in this Chamber—in terms of being able to recognise those programs which have merit and those restructuring programs that it will be necessary to undertake, with consultation, to overcome some of the spending difficulties of the Government.

I will try to outline some of the problems that we face and how we got there, and then I will briefly look at the position in which we as legislators find ourselves in the midst of quite rapid technological and social change. I hope to outline to members and people interested enough to read *Hansard* some of the programs that the Government is undertaking. I will also try to spell out those areas which have been neglected in the past that have to be picked up. Picking them up in a period when the revenue base is dropping causes all sorts of headaches.

The policies of the previous coalition Governments in the area of industry policy must be exposed as the primary contributor to the malaise of Australian manufacturing industry. Our manufacturing base has shrunk and this has caused the difficulties we face now, with our reliance on agriculture and mineral products.

The Fraser Government's approach to industry policy was a hotch-potch of uncoordinated, unplanned, divisive, negative, narrow and politically motivated measures. As a result, the Federal Government had no positive and active role in the rejuvenation of manufacturing industry, and the generation of employment and manufacturing shrunk. That is basically where the malaise occurred; it followed the policy of hiding behind tariffs, not being selective enough and not pointing out what industries were to survive and what were to be restructured.

Probably the restructuring was delayed as long as was the case in any other advanced manufacturing based country. Australia was one of the last to look at restructuring and it was one of the last to be placed in the position in which we are now, mainly because we are a lucky country and had other areas to fall back on. We took the easy way and fell back on the easy income earners. We hid behind tariff barriers and then neglected restructuring, and we are paying dearly for that now.

The Hon. Diana Laidlaw: Surely, you're not placing the blame for all that on the Fraser Government.

The Hon. T.G. ROBERTS: I am trying to point out that it was a period when we did not act quickly enough. The blame is collective. I point out that the responsibility for getting out of this situation will be collective. I guess that the trade unions, in some cases the ACTU, and all Australian political and industry leaders did not come to terms—

The Hon. Diana Laidlaw: I mentioned it only because it does not help to cast blame.

The Hon. T.G. ROBERTS: I used the Fraser Government as an example, although it probably goes back to prior to the Fraser Government to the mid and late 1960s. I think it was exacerbated in this period because that is when changes that did not take place should have occurred, and we are now left behind the eightball. While we cannot afford to carry large deficits on the Current Account and the burden of foreign debt brought about by these difficulties, the raising of huge amounts of capital to finance takeovers also exacerbates the situation. So we have a philosophical approach being taken by some in the community who believe that their interests are more important than those of the Government, and they are not particularly worried if their financing arrangements create extra servicing difficulties. That is not a responsible way in which to act, either.

In Australia we have a huge gap in relation to being able to come to terms with the problems that we face. A united approach was being adopted by European Governments and particularly by the Japanese, but it is hard to tell where

Government and industry starts and finishes in that country. At least there was a united approach in Japan in terms of working out the recipe. In Australia we are still fighting to acknowledge a unified way in which to gather our national resources to solve the problem. So, we are fighting a rearguard political action internally while trying to work out a direction for our secondary and primary industries.

The Liberal and National Party Coalition presided over the largest and speediest slump in the history of Australian manufacturing industry. Over the period 1965 to 1983 the manufacturing sector's share of total employment decreased in alarming proportions. In 1965 its share stood at about 27.5 per cent of the workforce and by 1983 it had declined to about 16.5 per cent. Job generation in other sectors was nowhere near enough to compensate. In the 1982 calendar year more than 100 000 jobs were lost in the manufacturing sector and aggregate unemployment increased by 242 000 or a staggering 59 per cent (and they are ABS figures). In the latter half of 1982, total manufacturing production declined by almost 16 per cent. I think that those figures speak for themselves in terms of the period that the Fraser Government presided over this country and the inactivity that occurred during that period. I think the Hon. Diana Laidlaw made the point that it was not only the Fraser years that were responsible for this situation. However, it was certainly those neglectful years preceding that period which caused those figures to reach a high point during the Fraser period.

Important sectors such as basic metal products, fabricated metal products and transport equipment took the brunt of the decline. In the past 16 years the number of factories operating in Australia has plunged from 61 686 to 28 706—a decline of 53.5 per cent. What must be recognised is that the rundown in manufacturing was not the result of mere incompetence but a deliberate policy on the part of Fraser's economic advisers. These conservative economists, many of whom are still present in the Treasury Department—and one is now an official member of the Coalition—believe that Australian industries are inefficient and ought to go to the wall. They cannot compete on the world market. This conservative approach was based on the fiction of free trade in a free marketplace.

I have spoken before about how free those marketplaces are. Of course, this free market does not exist, and the historical trend in manufacturing industry has been towards domination by a small number of large, usually multinational, companies. The conservative approach failed to recognise that these companies have become so large and powerful that they can determine their prices for goods rather than have them determined by the marketplace, thereby exploding the myth of free and private enterprise.

Indeed, the advent of simultaneously high rates of inflation and unemployment in the 1970s and the inability of conventional theory to explain it testifies to the fact that these huge firms can easily continue to raise prices and maintain profit levels in the face of contractionary monetary and fiscal policies which opposed all the laws of economics up until that point when Keynesian policies prevailed and, because of the centralisation of ownership and control, the policies of the free market were no longer viable.

By various means of collusion when necessary, these firms have abandoned any pretentions to the virtues of competition, leaving small companies with less bargaining power and resources to compete for the remainder of the market in order just to survive at subnormal profits. That applies as generally to the retailing sector as it does to the manufacturing sector. Small business continually points the finger at Government—both Federal and State—in terms of the problems that they face and their dilemmas in relation to being able to make a living out of their small businesses, but their blinkers and their inability to look at who is the major cause of their problem does not appear to come their way. If they looked, they would see that the centralisation of the retailing sector is causing all the problems with the small businesses that find themselves in trouble.

The Hon. Legh Davis talked about the record number of bankruptcies. I think that one would find that in many cases the bankruptcies involve small businesses trying to compete in areas where large retailers have started up just outside towns and shopping areas, while retailers in the main streets (or high streets as they are known in England) are dying. In Britain and Europe the same phenomenon is occurring, and small businesses, unless they start up in these large retail sector areas to which many people are attracted, find that they cannot survive. In order to survive they must try many different mechanisms to attract shoppers. That is one problem with which Governments must come to terms.

Also, advanced new technologies are now available with which we as legislators will have to come to terms. I refer, for instance, to people shopping from the home by computer. Large warehouses will supply orders automatically from automatons and goods will be delivered or picked up by customers without any money being exchanged. There will be no cash transfer; instead, a plastic card will be used at home. This sort of thing is being put in place already, and we will have to deal with some of the problems that will be associated with the resulting unemployment.

One estimate of job shedding for the period of decline was around 300 000. These jobs have gone mainly from the manufacturing area since 1974, and of this number about 150 000 have gone from the metal industries. Microprocessor controlled machines will proceed from computerisation and individual machines, including design machines, through multistage automatic transfer machines to totally automated lines. Again, the restructuring that has taken place in Australia following the malaise of that period has been necessary in such a rapid way that the dislocation has been difficult to come to terms with. However, it has been necessary because we need, and indeed still need, the highly automated lines to make sure that we are at least partly competitive with the prices of goods brought in from overseas.

I think we are coming to terms with the problem that we are now facing as a State. We have set up a Technology Park. A number of programs link the secondary schools with TAFE schools in terms of training programs and levels of understanding of the technology that exists. There are good people in education, in manufacturing and in the trade union movement that are coming to terms with the problem and are negotiating their way through it.

However, I am sure that there are a number of people in the community and probably in sections of the bureaucracy and in Parliament that really have not come to terms with some of the rapid changes in microcomputer controls that are occurring in these companies. Microcomputer controlled digital machines will replace numerous electromechanical timing devices, and there will be redundancies of work associated with pneumatic controls, hydraulic controls and electromechanical controls, and electronics will take over.

So, one can see that, by spelling out some of the details in terms of the technology that is being introduced to fully integrate these automatic systems inside the manufacturing industry, a lot of our support mechanisms must change and be brought up to date to ensure that we keep abreast of some of these changes. However, all new machinery, despite

the growing complexity, is becoming more reliable with inbuilt programmable, self-diagnostic capacities to instruct on maintenance procedures and to self-diagnose as to production levels, cut-off points, etc. That not only takes away the control that people have, but also relies a lot on a high level of skills to ensure that those programs are instituted in the first place and that the level of technologies is at least guided, if not controlled, by people in those workplaces.

I will go through the robotics which some of us have probably come across and with which we need to familiarise ourselves. A particular application of microcomputer and associated technology affecting the metal industry is with robots. These come in three categories: fixed, movable and mobile. The cost of fixed and movable robots has already fallen quite substantially, and is still falling. However, in Australia we have been slow to get onto the robotics industry, which means that we are falling behind technologically and in terms of our ability to compete with other countries in the manufacturing area.

The state of the robot industry in Western Europe, the United States and Japan is indicated in a book which has been recently published in the United Kingdom and which gives some up-to-date estimates of the robot population in a number of countries. Japan is credited with 90 000 robot installations and the highest ratio of robots to human workers. This distinction previously belonged to Sweden. The United States is in second place with 26 000 robots at work and, according to the authors, the Federal Republic of Germany comes next with 12 400 robots, followed by France with 7 500, Italy with 5 500 and the United Kingdom and Sweden with about 3 800 robots each. There are no reliable statistics for robot installation in the Soviet Union.

The last survey of the Australian robot market took place three years ago, but it is believed that Australia now has about 800 robots. If you compare that figure with the robotics that exist in other countries you can see that we are starting well behind the eight ball in terms of being able to compete in the manufacturing sector, although we are now starting to catch up.

If we look at some of the processes that are being used with robotics, such as spray painting and spot welding, we see that the motor industry is probably using most of them. But, the greatest impact will be in the programmable transfer machines. In relation to a lot of the terminology that is used in the manufacturing industry, unless one makes an effort to keep up one can be left behind. People in the manufacturing industry almost talk in riddles. This is particularly so in the computer industry, which has a language all its own, as many of us are struggling to find when we start to grapple with some of the computers that we have in our own offices.

Inside the manufacturing sector it is virtually the same situation. There are initial explanations for various robotic areas and, unless you know what people are talking about, they have to stop to explain things to you. In this regard programmable transfer machines are utilised on continuous production lines between processing machines, and they are utilised as a central work transfer operation between a number of microprocessor controlled machine tools, exchanging and manipulating parts to be machined in any pre-programmable sequence, seemingly at random.

This can apply for short production runs and for complex operations that may utilise each machine a number of times in any variety of sequences. The robot shifts the component from machine to machine, turns it as needed, stacks it, and transfers it to packaging if needed. There is now the automotive warehouse which is totally automotive, and you can go through workerless factories and workerless warehouses where trucks pull up and take the finished product to the customers.

Assemblies of machine tools in this manner are known as unmanned machine centres. Intensive experiments are taking place with various configurations of unmanned machine centres in Japan, the USA and Western Europe. Japan is marketing what will virtually be workerless factories and is actively selling them, using continuous production lines and/or UMCs. IBM is manufacturing robot productions. It has begun the manufacturing stage, along with the microcomputer giant, Texas Instruments, using video cameras that are capable of self-learning programs for automatic complex assembly tasks and manipulation of the most delicate of objects over a wide variety of size and form.

The giant Esso company has ownership investments in a number of computer orientated industries that are gradually being integrated in this direction, including its microcomputer company 'Zilog'. These companies are now gelling their technologies together and forming formidable companies. In fact, IBM is almost grabbing the whole international market, which brings about all sorts of problems with centralisation of control, lack of competition, etc. They have ways of being able to sell their wares to companies and factories, and this excludes all other smaller companies from being able to compete. In a lot of cases there is incompatibility with types of equipment as well as licences and patents that prevent smaller companies from competing. So, you get one large conglomeration being owned and controlled either in manufacturing or in communications.

Production lines and UMCs using robots will have standby spare robots at the ready to replace any that break down, whilst emergency by-pass lines are being installed around controlled processes that are fixed in position. Maintenance work thus proceeds at a regular pace, despite the elimination of labour on the line or at the machines. We have VDU graphics using computers in the metal industry for production design, and this is increasingly taking the direction of setting up graphic shapes on video terminals, which includes CADCAM—computer aided design and computer aided manufacturing. The lot is automatically adjusted to scale and then transferrable to machine control instructions that follow the shape and dimensions to great accuracy.

Recent developments of graphic systems using video displays connected to computers herald one of the biggest impacts to come in engineering design and production control. Large scale investment is being put to work in this field. If you turn your mind to the fact that if one company invests in CADCAM, particularly in the metal industry, in one type of process you can wave goodbye to about 70 per cent of the rest of the industry, because, if they get the production runs under way before the other companies transfer the high tech stages of CADCAM, they will not be able to compete.

There are a number of instances of it, not only in Melbourne and Sydney and the large manufacturing centres, but in Adelaide itself we are seeing the victims of those sorts of investment decisions. Manufacturers should be getting together to share their knowledge, their information and, perhaps, their capital, but instead they are competing with each other. It is the take-over syndrome which forces smaller companies to the wall, and we get a centralisation of ownership via technology and production.

Within these technologies there is CADCAM, and the other name which is put is CIM. 'CIM Centre a Reality for Machine Dynamics' is the heading of an article on computers in the *Australian* of 9 June 1987, which states:

The Australian robotics manufacturer, Machine Dynamics, has completed phase one of a computer-integrated manufacturing (CIM) centre at its Knoxfield plant in Melbourne.

Further on it states:

The founder and managing director of Machine Dynamics, Mr Len Whelan, said last week that the CIM centre's three-dimensional computer-aided design (CAD) capability had played a critical role in the development of a robot-based flexible manufacturing system for Ford Motor Co.'s 1987-88 Falcon Fairlane.

The latest technology production methods are in place. There are people out there with very high levels of understanding of how this high technology is to be applied. We have in this Chamber the Hon. Mario Feleppa, who came from a highly automated industry, the motor industry. If he returned to the motor industry today and saw the application of some of the new technologies, he would probably be a bit like me—although I have not been out of workshops for as long as the Hon. Mr Feleppa—and he would be staggered at the number of people one does not see in the manufacturing sector and at the amount of robotics and high tech equipment, particularly in the motor industry because it does lend itself to high levels of automation.

To illustrate the various forms of this technical application I could go into a number of other areas, including banking and insurance, where high technology is creating not only more services but also short-term work opportunities. However, in the long term it will create far fewer work opportunities and we will then have to look at the social problems which will result. First, there is the important problem of training and education and, secondly, the distribution of income that comes from increased profits in terms of centralisation of ownership and control.

If one looks at the way in which high technology has been put into place in the commercial areas, in most cases the commercialisation of high technology has allowed companies to move their money around so that they pay less tax rather than more, and it makes it very difficult for Governments and for auditors to at least work out who owns what and what share should be paid to the Government and what share should be paid to the shareholders. Even shareholders have difficulty in working out and reading the latest ways in which companies present their final figures to shareholders. The Hon. Jamie Irwin would know about the latest technology being used in agricultural industry areas, where farmers can sit in an office or a hotel in Naracoorte and buy sheep and cattle via video programs run in New South Wales, and so forth.

With CADCAM, probably the greatest illustration one could have of computer-aided design and computer-aided manufacturing techniques would involve a factory in Adelaide using computer-aided design techniques, and another factory in Sydney using computer-aided manufacturing. One could design the product on screen in Adelaide, the process could be transferred by satellite, and one could be manufacturing the parts taken off the signal sent from computers in another city.

Many other technologies are being put into place at this moment in the South-East of South Australia which will allow the quality and control data in a factory in the South-East to be controlled internationally. The process could be controlled from America, which would then eliminate the quality control process in factories in Australia. We no longer need quality controllers in Australia; those people can do their work from another country.

The internationalisation of information is actually being put in place at the moment. To acquaint oneself with this technology takes a lot of reading and, in many cases, one does not have the time. The other option is to get into the field and talk with manufacturers and other people to find out exactly what is going on so that we understand some of the problems that we will be faced with as legislators in terms of making sure that the democratic processes of information transfer—and even being able as a sovereign nation to hold on to the democratic control of the processes that determine how a country actually makes and collects its fair share of taxes, and so on, and its ability to function—are kept under control.

I hope I have been able to put together an idea of some of the problems facing Australia while illustrating where we are going in terms of our manufacturing base. Some people may have a different ideology in terms of how we should maintain control in a democratic way and how we should share the wealth that is created by the new technology. No-one wants to be a Luddite and deny the existence of the new technology or deny the benefits that will come from new technology and its ability to manufacture the goods and services required by people. We also need to have the ability to sit down in a democratic way as a collective community—both as States and as a nation—and work out just how those benefits and gains are to be collected.

Of course, we can take the confrontationist approach. I know that in the Hon. Mr Irwin's Address in Reply speech in many cases the results of the assessments made were based on the information available. However, as members of Parliament we really need to have more contact with people on both the manufacturing side and the side I come from, the trade unions, to decide on the rate of introduction for these new processes and controls, and to analyse the system of centralisation through take-overs and the centralisation of decision making. I also draw the attention of members to the centralisation of media ownership and the collection of facts and figures just for analysis. I would like to know who is determining what issues we should be looking at. Generally, many more things happen during a day than we see printed in the newspapers, and we all know that.

We should be considering issues in the same way that European countries look at them. They have not afforded themselves the luxury of a great ideological division in their countries: they have a unified approach to problem solving. It does not have to be a collective, national socialist direction, as some people may interpret it. We need a cooperative direction whereby our manufacturing, agricultural, bureaucratic and educational energies are all directed towards determining a solution to the problems that Australia is facing in overcoming its current account problem. We need to be in a position in the Pacific region where we have a stable government and a stable approach to assisting countries in the region which are not as developed as us—and I mean some of the areas of the Pacific region that are not as stable as we would like to think.

If Australia does not adopt a collective approach to decision making about our direction then we can expect our neighbours to look at us and say, 'You cannot get your house in order, so why should we?' The problems in New Guinea and particularly in Fiji illustrate the fact that some of these divisions could be destabilising in the long term so it is imperative that we get our house in order.

It does not appear to me that Opposition members have a collective view—perhaps Government members do not have a collective view about some matters, either. I do not want to see the price of collective decision making being the end of debate—that will always go on. However, I think that the ground rules relating to the distribution of resources for education, revitalisation of manufacturing industry and housing, which have been touched on, should not be the subject of political point scoring. We should have a position

where we have a collective approach or idea about what resources should be allocated to these areas. I would like to illustrate this by way of an article with appeared in the Queensland *Courier-Mail* and which was written by Ray Dempsey. It illustrates that we do not have a collective view with regard to national direction—we have two totally opposing views.

One view is expressed in the document issued by the ACTU. This has the agreement of large sections of manufacturing industry, some sections of Government and some sections of the Opposition. It relates to restructuring Australia based on the cooperative methods which I have described and which apply in countries such as Belgium, France, Holland, Sweden and Norway. England adopts an approach that some people here would like to see us adopt—one of confrontation and a winner take all philosophy.

I will read into *Hansard* what is happening in Queensland and use that as an illustration of the handbook that some people say Australia should adopt. It was not hard to see the reaction of members of Parliament, trade unions and of the community when some of these legislative initiatives were taken. One can see that if the Queensland approach is taken nationally we will be taking the same approach as that taken in Britain. I will read into the *Hansard* record comments on the personalised contracts that people in Queensland and in some sections of the Liberal Party want to see (and I hope that the Hon. Mr Davis and the Hon. Mr Lucas do not want to see them). Some people want to see a breakdown of the arbitration system and introduce individual contracts. The article states:

> Contracts will be for a set time—mostly 12 months. At the end of each term, employer and employee are supposed to sit down and thrash out the new terms. Each worker becomes his or her own advocate. With rare exception, employers will have all the bargaining leverage.
>
> Where is the umpire—the Industrial Commission—in this industrial free-for-all? Certainly nowhere during the bargaining stage. When employees have signed on the bottom line to seal the bargain on another 12 months employment, then the 'agreement' is registered with the commission and locked away out of sight. No-one else can view its secret conditions.
>
> If, during the term of a contract, worker and boss fail to see eye to eye, the dispute ultimately goes to civil jurisdiction, that is, the courts. The Industrial Commission formed to settle disputes and ensure consistency of workplace conditions, becomes a mere rubber stamp and storage place for temporary contracts.
>
> Instead of a commission where a union negotiates your problems and pay rates with your employer, costly solicitors and barristers for both parties will appear before magistrates and judges to sort out the black and white detail of your contract.

That is very good for the legal profession.

The Hon. R.J. Ritson: They have a trade union bargaining process with contracts in America.

The Hon. T.G. ROBERTS: In the main, America has contracts, but they are written with unions not individuals.

The Hon. R.J. Ritson: It works there without centralised wage fixation.

The Hon. T.G. ROBERTS: There can be a contractual system—and we have this in Australia—where enforceable awards that are agreements written by employers and unions. That has operated for a long time. There are awards, as well, that are enforceable. What is being advocated in this article is far different. I think that the honourable member will find that in America there is a resurgence of militancy among workers as union membership has been dropping off because of the emergence of a system involving the signing of individual contracts. What is happening there now is a reaction to that because workers' wage rates have been in steady decline. The reason for individual contracts is that workers are starting to wake up. What will happen in America is what is happening in South Korea.

People can only be suppressed for a certain time before there is a reaction. What we are saying in Australia is that there is no need for that sort of contract or confrontation. People can sit down and, if there are the excesses on the part of unions that are related from time to time in this Parliament, it is up to the unions or their appointed bodies—and this has happened in South Australia in the building industry—to pull those organisations into gear. If there is negotiation whereby workers' rights are protected and they are getting a fair and equitable share of the wealth created then there will not be too many problems. It is when those sorts of contracts restrict representatives of unions from being able to negotiate freely the best position on behalf of their members that problems arise. South African contracts are up for renegotiation at the moment. I do not think that will pass without bloodshed. The article continues:

> No room here for negotiating or compromising to reach a settlement. Winner takes all. There is one inescapable reason for employer organisations and the State Government to push for contracts so vigorously—to lower labour costs. That simply means employers want to pay the employees less.

That is basically what it is all about. The article continues:

> The Industrial Affairs Minister, Vince Lester, is on record as saying that parents could divide up their time with their children accordingly.

Over a seven-day period a husband and wife could be working two eight-hour contract periods. They would get together whenever they could—and I am not sure when they could get together—and share the children. Also, no penalty rates are included. It is a breakdown of a 24 hour day, seven day week into whatever hours the individual signs for and then the pay rates (although minimum guidelines are required) are paid accordingly. One can also cash in sick leave, holidays and other things like that. Ultimately, it is used as a brake to be put on unions to ensure that the control they exercise over collective bargaining in relation to awards and agreements is broken down so that individuals can then be bullied by unscrupulous employers into signing contracts that really bear no relationship to their ability to hold their family together with a reasonable wage.

We will have to sit down, think and talk about the social issues. I hope that the Opposition will play its part in ensuring that those excesses do not transfer here, but I know that there is no guarantee of that. Social issues are inherent in some of the technologies that I have outlined, and some social problems will evolve from that. Technology holds the potential for progress, and it can eliminate drudgery in work, raise productivity, and provide better goods and services. On the other hand, it is controlled by forces whose only interest is profit and privatised power. If it is in those interests then there will only be increased profits and increased power without any sharing or democracy. Most technology is used to reduce skills and reduce employment and to carry out production, irrespective of its effects on the environment and built-in deliberate deterioration. This will occur if it is owned and controlled by people who have one reason for its introduction—that is, profit.

As a Government we have to ensure that that does not occur. However, in Australia's case, if we are to be fighting a rearguard action against extreme reactionary right wing philosophically motivated employers, such as the Copelands of this world, then I am afraid that Australia is in for a very difficult time. I hope that that is not the case. I hope that people will look at endorsing the proposals being put forward not only by the ACTU but also by the Government. I hope that there is no mobilised opposition based on 'the strong survive and the weak go to the wall' because, if that

happens, Australia will not have the energy to fight both battles at the same time.

The Hon. M.J. ELLIOTT: I support the motion. I thank His Excellency for the speech with which he opened Parliament. I extend condolences to the families of deceased members the Hon. Don Simmons and the Hon. Ron Loveday.

I wish to address a couple of matters today, the first relating to Aborigines. As we approach the bicentenary there has been obviously increasing heat among Aboriginal communities because of their concern about what the bicentennial represents. It may be a celebration of 200 years of European occupation, but the Aborigines really do not wish to share in it because, from their point of view, it is 200 years of oppression.

Indeed, we are moving into troubled times. We may be able to draw parallels between what is happening in Australia now and what happened in the United States in the late 1960s and the early 1970s when we saw the emergence of the Black Panthers. I believe that we have managed to destroy the Aboriginal culture and pride in it, just as the negroes in the United States had a culture destroyed. It was only through the actions of the Black Panthers and similar groups that I believe some sort of black pride emerged. I do not want to see that occur in Australia but I wonder whether we will not be facing that situation if the community does not wake up and admit that there are problems. I think that there are a host of problems. Too many people in South Australia like to think that the problems of Aborigines occur in the Queensland of that terrible Joh Bjelke-Petersen and that South Australia really has no such problems. That view could not be further from the truth. Certainly, what Bjelke-Petersen is doing is appalling, but in our own way we are managing to be just as destructive to the Aborigines.

I point to a couple of things presently happening in South Australia. In Port Augusta the Aboriginal alcoholic and rehabilitation service, known as Woma, had been receiving predominantly Federal funding but also State funding for the provision of its services. The State Government set up a new service in Port Augusta known as Pika Wiya, which was to be an Aboriginal health service run by Aborigines. Under its constitution the first board was nominated by the Minister of Health, but at the next AGM the board of Pika Wiya was to be elected. Only a matter of weeks before that election was due the constitution was changed by the board that had been put in place by the Minister of Health so that it stated that the board will continue to be nominated by the Minister. In fact, the Aboriginal community was not to be involved in the election of that board. The Minister has since said that he received advice from the Aborigines of Port Augusta.

What better advice can one get than an election involving the Aborigines? Who is the Minister listening to when he decides who should and should not be on the board? He has taken an Aboriginal health service (Woma), and has been responsible for setting up a new one which is supposedly an Aboriginal health service but which is simply an arm of the Health Commission. In collusion with the Department of Aboriginal Affairs, he has systematically withdrawn all funding from Woma. It now has funding for only another two months for the operation of a one night shelter. As of the end of September-October, that funding might also be gone.

This centre has assets which run into millions of dollars—a halfway house and a night shelter in Port Augusta, and a rehabilitation farm at Baroota which, at least physically, was most impressive. I could not see it operating because, with the withdrawal of funding, it was simply standing neglected. Certain elements in the Health Commission have decided that they know best, and that really is what the problem is all about—paternalism by people who think they know what the Aborigines need, and who will look after them and see they get it. That is the sort of problem we face. I have been informed that recently it was decided to withdraw funds from Woma at Ceduna and Woma at Port Lincoln. I imagine, once again, that we will see a Government Health service set up—no doubt called a Government-Aboriginal health service, perhaps even an arm of Pika Wiya—to take the place of those bodies.

Recently the Aboriginal community was active in the production of the book *Survival in our Own Land.* It took a number of people in the Aboriginal community several years to collate, and many more people provided their time, photographs, and other materials, and told of their experiences. This book was to be a contribution towards the South Australian sesquicentenary and a contribution which would have let all South Australians know the history of South Australian Aborigines since European settlement.

The book was to be prepared and, in fact, is being prepared by Wakefield Press. However, in the interim Wakefield Press has been sold to a private individual and is no longer a Government instrumentality. At the time of sale four titles of the many that were held by Wakefield Press were handed to the Government Printer. The Aborigines who contributed to the making of *Survival in Our Own Land* wish that their book is also published by the Government Printer and that the book remain the responsibility of the Government.

They believe that their story would be better protected in the long term if it was the Government's responsibility rather than the responsibility of a person who had to make business decisions. I do not wish to reflect upon Mr Pearson, the current owner of Wakefield Press, in any way, but the more significant point is that the wishes of the people involved in the book might be given at least a sympathetic hearing. At the moment they are being told that they are being silly and that, 'We know best.' It is just a further continuation of the same sort of attitude that we are seeing in so many places.

In the South Australian Museum we have the best and largest collection of Aboriginal artefacts in Australia and the world. It is a marvellous collection, but there is one major fault that I can see with it: Aborigines have absolutely no say whatsoever in how any of the collection, including sacred objects, is treated. I am aware that the Museum is trying to handle its collection sympathetically and has done a good job, particularly in recent times, in looking after the objects in a physical sense, and for that I congratulate it.

However, I find it appalling that the Aborigines have no say in the handling of the entire collection. Indeed, there are no Aborigines on the staff working with that collection, and that situation should be remedied. One opportunity for such a remedy may have been the setting up of an Aboriginal Heritage and Resource Centre, which has been talked about for some time in South Australia. In fact, I received correspondence about two months ago advising me that the Bicentennial Authority had made money available for such a centre. What was needed, however, was some funding from the State Government.

My expectation at that time was that the funding would be forthcoming and that we would hear something about it soon. We have not done so. That in itself makes me rather fearful that the State Government, with its economic woes, has decided that that is a matter of low priority and that it

is one of the projects that has been axed. I wonder whether we are not going to see the Aboriginal Heritage and Resource Centre occur at all. If that centre is not to be built and the Museum collection is continued to be handled by white people, it will be a matter of academic interest only.

I should have referred to the next matter when I was talking about health, as I believe that funding has been removed from an Aboriginal coordinating unit within the Department for Community Welfare. Apparently, it may have involved Commonwealth money, but I would like to know who has been advising that such moneys be removed. I know that the Government has a draft (although I am not sure how far it has advanced) of the Aboriginal Heritage Bill. There have been such Bills in some form or another coming before this Parliament since about 1976, one of which was lost because of an election. The second was passed by both Houses of Parliament but was never implemented.

We are still operating under legislation which is 25 to 30 years old and which certainly is not capable of protecting Aboriginal heritage. My concern about the draft that I saw is that it repeats the same mistakes: paternalism rides again! The only person who is capable of launching a prosecution under the draft Bill that I saw is the Minister himself. The Bill provided no opportunity for Aborigines to go to court to exercise their own interest in their heritage. I believe that that represents a severe shortcoming in the Bill. In many places the Bill continues that paternalistic attitude of 'We know best; we know what should be done; and don't you worry about it.'

There has been much talk recently about a treaty for our bicentenary, and I believe that that is an excellent idea. Indeed, I give my full support to the concept and hope that the State Government will join with the Federal Government and seriously consider such a treaty as a recognition that the Aborigines were the original owners of this land who were usurped from that ownership. It would be a recognition of their rights in Australia today.

I wish now to turn to one particular aspect of the Department for Community Welfare. I refer especially to job related stress amongst its employees. In part, the stress has been brought about by the enormous growth in workload. Child sexual abuse has been one of those things that has led to this dramatic increase in workload. I do not hear any complaints from employees about the fact that they are handling it, but it is a simple fact of life that the number of cases reported has escalated. Staff have to put in enormous amounts of time investigating it, and their workload has gone up. They still have all the other jobs that need to be done.

Many things that DCW staff were formerly doing they are not doing now. Much of the intervention work they were doing with families that might have prevented child sexual abuse in the first place is not occurring. Nevertheless, we have the same number of employees with a dramatically increased workload, and now there is some suggestion that domestic violence is about to get a higher profile as well, with perhaps increased demands being made upon the department's employees.

In 1984-85, 17 out of 150 or 11.3 per cent of cases reported to the department for workers compensation were for occupational stress and client assault. In 1985-86, 24 out of 153 cases reported for workers compensation, representing a percentage of 15.7 per cent. However, what is more interesting is that from the information supplied by the department it appears that all these cases of stress and assault were limited to social workers and resident care workers, thus representing a significant occupational health problem for this sector of the department's work force.

It is also likely that for this group the number of reported cases is, in reality, an underestimation of the significance of the problem, given the reported high turnover of staff and the high degree of motivation, thus resorting to workers compensation only when absolutely necessary; that is usually associated with such work groups, and literature supports this notion.

As one would expect, many self-respecting workers have found their own means of dealing with the stresses involved. It is reported that sick leave is extensively used just to obtain relief from the intolerable work situations. Perhaps of greater significance is the fact that many workers leave the department, no doubt for the same reason. The study indicates an increase in attrition rate of 67.4 per cent over the past four years. This is clearly a disturbing level of staff attrition within the department.

The Hon. Diana Laidlaw: Many of them were experienced workers, too, so there is a less experienced work force now.

The Hon. M.J. ELLIOTT: That is right. Using 1985-86 figures, the entire staff employed by the DCW could theoretically be turned over within four years. For DCW personnel employed in the district offices (involved in front-line welfare work), the entire staff turnover period could be just over three years. If current trends continue, even these disturbing levels could well be made significantly worse. Job turnover levels should clearly be of concern to the department and to this Government.

The result of the inspections and interviews held clearly demonstrate a serious cause for concern. In general, it can be said that DCW staff operating out of the offices visited are being placed in a working situation where morale is generally low, job demands are exceptionally high, job dissatisfaction is high, and there exists a glaring gap between the high responsibility levels attached and the relatively low degree of authority (power) assigned in order to effect constructive change.

In addition, staff are in general totally unable to regulate or plan for the flow of work and in any case are often understaffed to cope with the volume of work that they are not required to handle. Apart from the question of staffing levels, there exists the additional problems of lack of staff training (especially counter personnel), protection against abusive clients, building facilities (especially at Noarlunga and to a lesser extent Elizabeth), and the reported lack of support that they currently receive from the DCW hierachy. In order to cope with the present situation, staff are often missing or shortening break periods and are placing themselves at physical risk by attending initial home visits alone. Social work staff also report a dramatic change in the nature of the work that they are required to undertake. They report that their work is now apparently exclusively reactive in nature and that their services are being restricted to only the most severe cases requiring immediate intervention and correspondingly higher levels of involvement.

The Government has two clear areas of responsibility in relation to this situation. First, it must assure management of its consistent support in terms of funding and general direction. Secondly, it must encourage management to attend to the problems outlined. Failure to do so will obviously lead to a diminished service to South Australians and leave DCW staff cynical and uncooperative. I might remind the Government of its propensity to control situations in an authoritarian manner. This situation is a direct result of that approach and the alternative, which involves some consultation and cooperation, is urgently required to ensure

re-establishing a satisfactory service to South Australians. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 5.59 p.m. the Council adjourned until Thursday 20 August at 2.15 p.m.