LEGISLATIVE COUNCIL

Wednesday 21 October 1987

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

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

PAPER TABLED

The following paper was laid on the table:

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

Pursuant to Statute—

South Australian Meat Corporation—Report 1986-87.

QUESTIONS

ABORIGINAL POLICE AIDES

The Hon. M.B. CAMERON: I seek leave to make a short statement before asking the Attorney-General a question about police aides in Aboriginal settlements.

Leave granted.

The Hon. M.B. CAMERON: Madam President, some time ago the Government introduced a system of police aides in Aboriginal settlements. Attached to those aides are supervising officers. They have vehicles which are of tremendous assistance to these people. This move has proved to be a most positive step, particularly in relation to reducing petrol sniffing among the Aboriginal population in the North West.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: I think the Minister had better talk to some of the people up there. Police aides have been doing an excellent job, but there are real concerns about a move to remove the supervising officers, as I understand it, from next month. At present there are four supervising officers, one attached to each of the police aides. The aides now have powers under the Pitjantjatjara Lands Act, which was passed in this Council in the last session, that enable them to exercise authority in the area of grog running, petrol sniffing and illegal gambling. For the first time I have been told that they have been able to be effective.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: The Minister of Health is indicating that there has been no effect on petrol sniffing in this regard, but might I say that that is absolutely untrue. The Minister had better seek some other advice. His team that was looking at this problem up there has not visited the area for some time, because he has effectively stopped it from going up there.

The Hon. J.R. Cornwall interjecting:

The Hon. M.B. CAMERON: Yes, I know they are, but the petrol sniffing assessment team has not been up there so I think the Minister's information is perhaps not quite as up to date as he is saying. I know all about the Frank's team. For the first time these people have been effective, and I think the Minister ought to settle down, Madam President, because this is not really a matter for—

The PRESIDENT: Order! You have leave to explain a question.

The Hon. M.B. CAMERON: I know that. It is not a matter for political conflict: it is a matter of real concern and for which I feel some very real concern.

The PRESIDENT: Order! I suggest that you explain your question.

The Hon. M.B. CAMERON: Well, Madam President, do something about it.

The PRESIDENT: I have called the Minister and all the Council to order. I do not need you to help me, Mr Cameron.

The Hon. M.B. CAMERON: Madam President, I know that. You are very effective in your job, but I would appreciate the Minister leaving me alone while I—

The PRESIDENT: You have been given leave to explain your question. Will you explain your question—

The Hon. M.B. CAMERON: I will do that.

The PRESIDENT: —without expressing opinions?

The Hon. M.B. CAMERON: I did not intend to give an opinion, but I was forced to by the Minister.

The PRESIDENT: I am very glad to hear it.

An honourable member: Provoked.

The Hon. M.B. CAMERON: Provoked: that is right. I will go on, Madam President. While petrol sniffing has not been totally abolished—no one would claim that—in fact there has been a considerable drop, and to some extent this has been the result of the introduction of these police aides. This has been particularly effective amongst adult sniffers, and sanctions can now be used against them. Those sanctions are very important because some of the adult sniffers have been leading young children into the habit, and now a sanction exists against those people doing that as well; that also is very important.

Madam President, it has been said to me that it would be very unfortunate—in fact potentially disastrous—if the supervising officers were removed at this stage. I am told that in at least one community threats have been made that once the supervising officers are removed there will be some physical violence against the police aides.

The Hon. C.M. Hill: These are Aborigines, aren't they?

The Hon. M.B. CAMERON: Yes. So, Madam President, I think it is very important to make absolutely certain before these officers are withdrawn that we are not doing the wrong thing and leaving these people potentially exposed at a very early stage of their effectiveness in the community.

Will the Attorney take steps immediately to suspend the decision or to remove the supervising officers—or attempt to have that decision suspended if it is not directly within his power—until the Aboriginal police aides have reached a level of security within their communities where they have the total backing of their communities and are not placed in any danger as a result of the removal of these officers?

The Hon. C.J. SUMNER: I will obtain information on the matter for the honourable member and bring back a reply.

TOURISM DEPARTMENT

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

Leave granted.

The Hon. L.H. DAVIS: Recently the Minister announced changes to the Department of Tourism. One change that was announced was that the name of the Department of Tourism would be changed to Tourism South Australia, which is run by Mr Graham Inns, who will now be called the Managing Director, Tourism South Australia, in lieu of his current title of Director of Tourism.

The Minister will be aware that the South Australian Government Travel Centre in King William Street is still being referred to as the Government Tourist Bureau by

many people. Will the Minister advise the House as to the specific benefits that she believes will attach to the change of name from the Department of Tourism to Tourism South Australia; what will be the cost of the change of name and what changes are planned by other Departments of Tourism in Australia in relation to the name, given the fact that presumably the Department of Tourism's name has been changed to Tourism South Australia to match up with Tourism Australia?

The Hon. BARBARA WIESE: I point out that there is on the Notice Paper in another place a question about this change of name to Tourism South Australia and the cost of that change. However, I am happy to reply to the question just asked about proposed changes in this Government agency, which is to be known as 'Tourism South Australia'. It was the opinion of the review committee—one that I subsequently endorsed—that it was important that Government agencies dealing with tourism promotion be a lot more commercially orientated, and much more responsive to the needs of tourists in the market place than they had been in the past.

In the past there has been a tendency for agencies to respond much more to the needs of tourism operators and to react to the responses of people in the industry without having as broad and clear a framework outlining objectives and purposes as may have been desirable. In recent times there have been some changes; first, the market research study which led to a new marketing policy; and, now, the review and restructuring of the department which will require a change not only to some positions in the organisation but also in the attitude and approach of people in it. We have taken a step along the way towards restructuring our Government agency to best meet tourism needs as we move into the 1990s. This will enable us to capitalise on the growing number of opportunities emerging in Australia to boost our economy through tourism.

Various changes to the Government Management and Employment Act in recent times have made it possible for a public service structured agency to have much greater flexibility and autonomy in its management and financial affairs than has been possible in the past. These possibilities, coupled with changes designed to make the organisation more commercially orientated, are the philosophy behind subsequent changes to the organisation's name and to some personnel employed in management positions.

There is a trend in Government tourism agencies in Australia for this to occur—in fact, over the past 12 months or a little longer there has been a major review of almost every Government tourism agency in the country. There has been a recent announcement about decisions to restructure the Tasmanian Department of Tourism. That organisation, like ours, will not be moving away from a Public Service structure as such, but will have an increased number of contract positions. As I understand, it will be called 'Tourism Tasmania'.

The recent review of the Australian Tourism Commission led to a name change to 'Tourism Australia'—so, this is something occurring in other places, as well. We wanted to make the review changes symbolically as well as structurally in terms of changing people's attitudes, so that our agency could perform in a more commercial way than it has in the past.

DIVORCE ORDERS

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about divorces in magistrates courts.

Leave granted.

The Hon. K.T. GRIFFIN: Reports from Canberra indicate that the Federal Attorney-General has foreshadowed amendments to the Family Law Act that would allow magistrates to make orders for divorce. The report indicates that such a move would be aimed at couples who agree that there has been an irretrievable break down in a marriage, and suggests that this would remove the need for drawn out Family Court cases. It is not clear whether or not the 'quickie' divorce proposal envisages magistrates also dealing with custody matters and matters relating to division of property, both of which cause the really difficult disputes and the long delays.

The proposal suggests that the magistrates courts in the States would become *de facto* family courts, a proposal which would impinge upon the status of the Federal Family Court but would, on the other hand, overcome the difficulties of jurisdiction which arise with respect to ex-nuptial children. The report is surprising in the light of the Federal Governments previous opposition to State Family Courts vested with Federal jurisdiction to handle matters affecting married couples and their children and ex-nuptial children.

The major difficulty for the magistrates courts is the availability of resources to undertake this new work, even if it was agreed that the Federal Attorney-General's proposal was proper. At 31 August, delay in the magistrates courts for one day trials was three weeks, and for two day trials was 12 weeks. In civil matters, the delay was 18 weeks.

The Hon. C.J. Sumner: Not bad!

The Hon. K.T. GRIFFIN: It is improving. Any increase in responsibilities would add significantly to delays if there was not a commensurate increase in magistrates' resources. The proposal, quite obviously, suggests something akin to assembly line divorces. My questions to the Attorney are as follows:

1. Does the Attorney-General agree with the Federal Attorney-General that magistrates should handle divorces?

2. Has this matter been raised at the Standing Committee of Attorneys-General and, if so, with what result?

3. Has the Attorney-General agreed, or will he agree, to the proposal that will involve magistrates in South Australia in divorce work and, if so, what are the resource implications for the State?

The Hon. C.J. SUMNER: This proposition was put forward by the Federal Attorney-General. As I understand it, it involves divorce cases of a non-contentious nature being dealt with in magistrates courts. It is not intended that matters involving substantial dispute, or indeed any dispute, between the parties would be handled in this way. The matter has been discussed at the Standing Committee of Attorneys-General, where Mr Bowen raised the proposition. I cannot remember whether the matter was formally on the agenda; my recollection is that it was raised informally or as part of any other business by the Federal Attorney-General. Nevertheless, he put the proposition to us in general terms.

The State Government has not made a formal decision on the matter at this time, as we are awaiting the formal proposition from the Federal Attorney. However, I made clear to him that, if the State magistrates were to be involved in this area, there would have to be discussions about the necessary resources. In order to ascertain what resources would be necessary, we would have to try to assess how many such cases would be dealt with by magistrates, and then come to some arrangement with the Federal Government for reimbursement. However, at this stage those matters have not been agreed.

Personally, I do not have any objection to the proposition, as I understand it, from the Federal Attorney, as it involves non-contentious matters being dealt with by State magistrates. In principle, I have no arguments with the Federal Government's proposition and, if it wants to take that action, I would not raise an objection in principle, except the one based on the availability of resources and any financial recompense that would be available from the Federal Government. The State Government has not made a decision on the matter and we will be awaiting any formal approach from the Federal Attorney-General.

BICYCLE SAFETY

The Hon. I. GILFILLAN: I seek leave to make a brief explanation before asking the Minister of Health representing the Minister of Transport a question about bicycle safety.

Leave granted.

The Hon. I. GILFILLAN: There have been certain areas of concern to bicycle users in metropolitan Adelaide. I understand that the Cyclist Protection Association, in conjunction with several other significant organisations in South Australia, has made submissions to the Minister (Mr Keneally) in another place. My understanding is that four proposals have been put to the Minister. The first proposal concerns the legality of what is called a box turn, which is a safer way for bicyclists to turn right at intersections. The second proposal concerns amending the Road Traffic Act to allow for the joint use of footpaths by pedestrians and bicyclists.

The third proposal is related to bicycle equipment standards—that all bicycles used on public roads have affixed rear, side, pedal and front reflectors, and be equipped with at least two brakes, as specified in Australian Standard 1927-1985; and that all bicycles used on public roads between sunset and sunrise and during periods of low visibility have affixed head and tail lamps which conform to British standard BS 6102. The fourth proposal relates to the speed limit on residential roads and contains a recommendation that, in what are regarded and identified as residential roads, there be a speed limit of 40 km/h—a measure that has also been supported by others (other than the bicycle interest groups) interested in road safety.

These associations have supported relatively simple but what are regarded as effective means of reducing what is an alarmingly high injury rate. Bicycle accidents are the most frequent cause of injury among children and the second most frequent cause of injury among people generally—a fact that I do not think many people realise. With that in mind it is important that the Government take note of these recommendations. These recommendations, and also the use of bicycle safety helmets, have strongly been supported by the following organisations:

The Australian Medical Association;
The National Safety Council;
Lions International District 20152;
The Royal Australian College of General Practitioners;
The Traumatic Head Injury Network, Royal Adelaide Hospital;
The Department of Community Medicine, Royal Adelaide Hospital;
The Department of Paediatrics, Flinders Medical Centre;
The Family Practice Unit, University of Adelaide;
The Australian Red Cross Society (South Australian Division);
The Independent Schools Board;
The Catholic Education Office;
The Association of Junior Primary Schools Parents Clubs;
The South Australian Association of State Schools;
The Relatives of Challenged Individuals;
The Bicycle Traders Association of South Australia Inc;
The Tandem Club of Australia;
The Playgroup Association of South Australia;
The South Australian Association of Schools Organisations;
The South Australian Association of Schools Parents Clubs;
The Royal Australian Nursing Federation;
The Friends of the Brain Injured;
The South Australian High School Principals' Association;
The High School Councils Association of South Australia;
The Cyclists Protection Association of South Australia; and
Dr J. Raftos, Paediatrician.

Has the Minister received these recommendation which are contained in a letter from the President of the Cyclist Protection Association of South Australia and which are supported by these other organisations? Will he indicate the Government's attitude to these measures? Will it introduce them? If so, when?

The Hon. J.R. CORNWALL: Ms President, I am sure that you will recall with great clarity that I was on my feet at midnight last night talking about matters of great moment concerning road safety. I had managed, despite extreme exhaustion, to find my second wind and made, in those circumstances, what I thought was a first class contribution. Just as we were about to put the whole matter to the test and divide, low and behold, the Hon. Mr Gilfillan (as they would say in biblical terms) picked up his bed and walked; he left the Chamber and went home! What I was saying at that moment was that I had always admired the consistent stand taken by the Hon. Mr Gilfillan on matters relating to road safety. It is a pity that I cannot say that the honourable member's vigor in that area is matched by his courtesy. He really should have waited another five minutes last night.

However, the matters that he raised are questions of considerable moment. Obviously if the number of organisations that he has mentioned are supporting these initiatives then they must, one would have thought, have considerable merit. Therefore, I shall be pleased to refer those questions to my colleague, the Minister of Transport, and bring back a reply to them as expeditiously as I reasonably can.

AMALGAMATION OF HEALTH SERVICES

The Hon. J.C. BURDETT: Madam President, I seek leave to make a brief explanation prior to directing a question to the Minister of Health on the subject of the amalgamation of the Department for Community Welfare and the Health Commission.

Leave granted.

The Hon. J.C. BURDETT: It has been suggested by some of the workers in the health and community welfare areas that the proposed amalgamation of the South Australian Health Commission and DCW includes the use of a common data base. Certainly it is clear from answers given by the Minister in this Council that co-location of staff is contemplated.

The workers have expressed fears in the area of client confidentiality if common data records are used. The question has been raised by a worker whether, if a couple go to a combined Health Commission/DCW office to apply to be adoptive parents, the health records of that couple could be accessed without their knowledge or consent. One worker has suggested to me that if there is an amalgamation with common access to data, the ID card debate would become irrelevant. Is it intended to use common access to records between the existing organisations (DCW and the South Australian Health Commission) and, if so, what protection will there be as to client confidentiality?

The Hon. J.R. CORNWALL: I think the Hon. Mr Burdett, like everybody else, will have to be a little bit patient and wait until we produce the green paper in about three

weeks. Obviously any confidential data, whether it is held by DCW or the Health Commission, or anywhere else, has to be protected. As I understand it at the moment (and I defer to my learned friend the Attorney-General), the integrity of confidential data is protected legislatively. If there were to be any change which might in any way present problems then clearly, as part of the package, we would look at the legislative implications.

I have already made very clear in this Chamber, on a number of occasions, that the green paper will canvass administrative and legislative aspects of a proposed amalgamation in very broad terms. All of these sorts of details will be the subject of discussion and the amalgamation, like coalescence, will proceed at a pace which is comfortable for the participants. It is not intended to produce a master plan with a fixed timetable which will be imposed on the system. There will be very widespread consultation, not only with the professionals in the system but also, as I have said on many occasions, in the community. That is what green papers are all about. I think that we will probably have to educate members of Parliament, as well as members of the public, as to just what the green and white paper system involves.

Members interjecting:

The Hon. J.R. CORNWALL: It has not been used in this State before. There is a very long tradition in the Westminster system of using green and white papers. Green papers, while they give an outline and while they may go into substantial detail of what might be a set of options, do not formally commit the Government to anything. I released a five year strategy for social welfare in South Australia about 10 days ago as a green paper. I made it very clear at that time, at the press conference, just what the status of a green paper was, and I explained, after widespread consultation in the community, among the employees, with individuals and with any concerned organisations, that we would ultimately develop a white paper for consideration and, one would hope, endorsement by Cabinet.

A green paper has no formal standing as a statement of Government policy. It is a very useful exercise in getting into full scale community consultation. That is what it is about. With regard to amalgamation, we will use exactly the same process. Next week, during Seniors Week, I will release a green paper on a five year strategy for the ageing. Before Christmas I will release a green paper for a health advancement strategy in South Australia, so that there will be literally four major green papers out for community consultation through 1988.

That is a very constructive way of doing business, but let me just illustrate to the Council, if I may, that there are some people at least out there who at this stage do not quite understand the green paper and white paper system. One of the media reports after the press conference on the release of the green paper on social welfare, 'The Next Five Years', said that the Minister today released a green paper which would be considered for a month and then be reprinted on white paper. It is not quite as simple as that. It is all about community consultation.

Obviously, all these questions will be canvassed. I repeat: the move to amalgamation will proceed only when the substantial benefits that will accrue to South Australians have been clearly defined, when the mechanisms for achieving those benefits have received substantial endorsement both by the community and by members of the department and the health system and when the principles and practices that have been drawn are agreed to by the unions.

I have made very clear to both the Chairman of the commission and my Chief Executive Officer in DCW that we have a very good Department for Community Welfare, substantially improved because of recent initiatives, and that we have a very good health system overall. I can coexist with them very happily. I can coast along as Minister of Health and Welfare in South Australia for quite a number of years yet. My coronary circulation is in reasonable order; my blood pressure is controlled; and by and large I am at peace with the world.

Really, there is not any point in my going through a traumatic or destructive exercise to find that at the end of it, instead of having a very good system that is the envy of my colleagues around the country, we come out with something that is worse. Obviously, there will be a lot of consultation.

Obviously, we will not proceed at a pace that the system cannot stand. Just as obviously, we will not move at a pace that the South Australian community or the professionals cannot absorb. I cannot give a guarantee, of course, that we will not move at a pace that will perhaps be beyond the comprehension of the rather dull people who sit in Opposition on the other side of this Chamber.

RURAL INTEREST RATES

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Health, representing the Minister of Agriculture, a question about interest rate subsidies for rural borrowers.

Leave granted.

The Hon. PETER DUNN: Madam President, in the last few months we have seen some devastation of rural industry in this State in the form of frost, hail and drought, and perhaps all we need is pestilence, an earthquake and fire and we will have had the lot. Certainly, we have had those first three difficulties, and they have caused a considerable downturn in some rural areas in the State. I guess that investors on the Stock Exchange know exactly what it feels like to be a farmer, because they have lost some of their income. This year in South Australia there have been more than 200 applications for farm restructuring loans, which are offered at a concessional rate of interest. However, only a few more than 100 of these applications have been successful.

Victoria has a slightly different scheme whereby the Agriculture Department offers an interest rate subsidy, which allows primary producers, if they need it, to borrow through the normal banking system and have their interest rate subsidised to a small degree. That seems to me to be a very suitable system because it frees up money. If only 100 of the 200 applications made this year were successful, it would also be of benefit if applicants received an interest rate subsidy. Will the Minister consider this method of financial assistance to the rural community? If not, are there sufficient funds in Federal and State coffers to provide adequate funds to rural borrowers who meet the present South Australian Department of Agriculture's rural assistance criteria?

The Hon. J.R. CORNWALL: I will refer those questions to my colleague in another place and bring back a reply.

WORKCOVER

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister of Community Welfare a question about WorkCover for non-government organisations.

Leave granted.

The Hon. DIANA LAIDLAW: As the Minister would be aware, recent documents released by him, including the Social Justice Strategy and the recent green paper on DCW 'Five Years Ahead', both acknowledge that the non-government welfare sector in this State is stretched to the limit and often beyond its capacity to cope in trying to handle the increasing numbers of individuals and families seeking assistance and support.

The Hon. J.R. Cornwall interjecting:

The Hon. DIANA LAIDLAW: They are doing an excellent job under very trying circumstances. At the same time, many such organisations are finding it increasingly difficult, yet more time consuming, to attract essential funds to maintain even the most basic of services, and this also relates to Government funding at this time of restraint in Government spending. In these circumstances the Minister, I imagine, is aware or would not be surprised to learn that non-government welfare organisations in this State are absolutely livid that WorkCover has assigned a levy of 3.8 per cent to organisations that are classified as welfare and charitable organisations. By contrast, in Victoria WorkCare—a similar scheme to our WorkCover—levies such organisations at only .57 per cent which is over 3 per cent less than what is charged in this State.

In addition to a number of angry phone calls that I have received from non-government organisations in the last few days, today I received a letter from the Inter-Church Trade and Industry Mission signed by Reverend Ralph Holden, State Director. I will read a couple of paragraphs from this letter as follows:

> The total claims made by ITIM South Australia since its inception over 20 years ago have totalled only $323. Our premium for compensation insurance paid in January 1987 was $2 319.38. At present, remuneration to our chaplains and staff amounts to slightly in excess of $20 000 per month.

So, one can see that they are not paid very much. The letter goes on:

> The levy of 3.8 per cent then represents a monthly payment of $764 or $9 167 per annum.

The Hon. J.C. Irwin: It was going to be cheaper.

The Hon. DIANA LAIDLAW: It was meant to be cheaper, but what has happened in relation to ITIM is that an increase of 395 per cent has been made. The Reverend Holden argues:

> This will seriously affect our financial position as a small non-profit organisation which has sought to provide a service of care to people in industry at the lowest possible cost.

I ask the Minister: does he share my concern that the 3.8 per cent levy may force non-government welfare organisations to cut programs and/or staff or, alternatively, that staff will have to work even harder than they do at present and be paid less, thus increasing the likelihood of stress, and burnout and claims so that ultimately premiums may be even higher in future years? I ask the Minister to state if he believes that the 3.8 per cent levy is fair and just and, if not, whether he will undertake to impress upon the management of WorkCover the ramifications of striking a levy of 3.8 per cent, particularly when it is noted that the levy in Victoria is .57 per cent.

The Hon. J.R. CORNWALL: Let me make three points. First, I am on the public record persistently and consistently acknowledging the very fine work that is done by voluntary agencies in this State. In fact, I think I described them, as recently as last Friday night, as the cement of our society. There is not the slightest doubt that in the social welfare area the Government simply could not provide anything like the range of services and support that it does without the very fine work that these agencies do.

Secondly, with regard to WorkCover, obviously—and I guess inevitably—one or two anomalies will emerge, as usually happens with any new and comprehensive scheme. As those anomalies arise they will be addressed by my colleague, the Minister of Labour, who is responsible for the legislation.

The third point I make is that I have no expertise in this area, and obviously it would be sensible for me to refer the specific questions to my colleague and friend Frank Blevins and bring back a reply to Ms Laidlaw as soon as I reasonably can. I thank her for raising the matters and I repeat, as I said at the outset, that anything that I can reasonably do to support the voluntary sector in the work that it does in my areas of responsibility I most certainly will strive to do at all times.

The PRESIDENT: I point out to the Council that the Minister of Health does not represent the Minister of Labour in this Chamber; the Attorney-General represents the Minister of Labour.

The Hon. J.R. CORNWALL: With the greatest deferential respect, the questions were directed to me, and I answered the generality of the questions in relation to anomalies, and so forth, and their impact on the voluntary sector. I then undertook, quite properly, to go to my colleague and friend who is responsible for the legislation to obtain answers to the more specific questions concerning WorkCover and voluntary agencies.

The Hon. DIANA LAIDLAW: I have a supplementary question. My question is directed to the Minister.

The PRESIDENT: Your supplementary question?

The Hon. DIANA LAIDLAW: As with my initial question, this supplementary question also goes to the Minister because I knew he would be concerned about this matter.

The PRESIDENT: Will you ask the supplementary question without offering a comment or an opinion?

The Hon. DIANA LAIDLAW: Yes, I ask the Minister whether he agrees that the 3.8 per cent levy will have severe repercussions on the non-government welfare sector unless efforts are made to strike a levy that is more in line with that which applies in Victoria.

The Hon. J.R. CORNWALL: I will not comment on the specific matters that have been raised with Ms Laidlaw. I made that clear in my original response. The whole spirit of the WorkCover legislation and the WorkCover scheme was to do two things: first, to improve the workers compensation cover for workers in this State and, secondly, to the extent possible, to reduce the cost to industry. If the Premier in his wisdom wished me to be Minister of Labour and to have the responsibility for WorkCover, I would reluctantly take on that very difficult portfolio. However, it does not happen to be my particular area, so appropriately I will not comment on other Ministers' areas. If I am asked a question about tourism, obviously I will defer to my colleague, the Minister of Tourism. I am asked a question about a specific matter concerning WorkCover, and logically I refer it to my colleague, the Minister of Labour.

SCHOOL CLOSURES

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Education, a question about school closures.

Leave granted.

The Hon. R.I. LUCAS: On 18 September Mr Ted Newberry, the Chairperson of the South-West Corner Schools Consultative Committee, wrote to the Director-General of

Education, Mr Steinle, enclosing the report of the committee on the future of schools in the south-west corner. Members will be aware that it included a whole series of recommendations about possible closures and/or rationalisation and amalgamation of schools in the south-west corner. Page 32 of that report says:

The committee was requested during the consultation with local school communities to ensure that the announcement of the decision by the Minister of Education was made with sufficient time for the parents and students to decide on the most appropriate school for 1988. The committee believes that there needs to be sufficient time after the announcement for public reaction to be addressed by the Minister. It is critical that there is time for the Education Department to give consideration to the personnel affects of the preferred option selected by the Minister. The 1988 staffing exercise has a time line for the notification of staffing placements by the end of the 1987 school year. Consequently, the committee recommends that the Minister announce his response to the proposed reconfiguration before Monday 2 November 1987.

Does the Minister intend announcing his response to the proposed reconfiguration before Monday 2 November and, if not, will he indicate when he will give his response to the recommendations of the Newberry committee?

The Hon. BARBARA WIESE: I am happy to refer those questions to my colleague and bring back a reply.

BUSINESS NAMES AND STAMP DUTY

The Hon. K.T. GRIFFIN: I seek leave to make a brief explanation before asking the Attorney-General a question about business names and stamp duty.

Leave granted.

The Hon. K.T. GRIFFIN: During the course of the Budget Estimates Committees the Attorney-General was asked by Mr Groom from the House of Assembly a question about the regulation of business names. The question was in the context that apparently a procedure was followed in relation to the sales of businesses which did not attract stamp duty. I suspect that the procedure to which Mr Groom referred in his questions related to whether or not there was an instrument or signed agreement evidencing the sale and transfer of a business and that, if there was not, no stamp duty was payable.

The Attorney-General indicated that he would be investigating whether or not documentation existed, or some other practice or procedure that did not attract stamp duty on the transfer of businesses, and that he may relate this to some amendment to the Business Names Act. Subsequent to this matter being raised during the Budget Estimates Committees, I understand that discussion occurred between stamp duties officers and other officers in the Public Service. My questions are:

1. Since the Budget Estimates Committees has there been consultation about stamp duty on the sale of businesses rather than on instruments evidencing the sale of businesses?

2. If those discussions have been held, as a result does the Government intend taking any steps to amend the Stamp Duties Act to vary the general principles of that Act that require that duty be imposed on instruments only?

The Hon. C.J. SUMNER: The answer to the first question is 'Yes'. The answer to the second question is that I have not received a report from the officers concerned, and until it is received the Government is not in a position to indicate its intention. I have asked the Commissioner of Corporate Affairs to discuss this matter with the Commissioner for Stamps and understand that those discussions and inquiries that need to be carried out by either or both of those people are still in progress. When the matter has been examined properly, I will bring back a reply for the honourable member in relation to the Government's intention.

WAXED APPLES

The Hon. R.I. LUCAS: I seek leave to make a brief explanation before asking the Minister of Health a question about apples and the National Health and Medical Research Council.

Leave granted.

The Hon. R.I. LUCAS: Members who purchase their fruit and vegetables—and I am sure there are many of us—are aware that in recent times there has been an increasing tendency for the waxing of apples. This is evidenced by the fact that such apples look magnificent and shiny on the outside; however, the taste does not always match that outside appearance.

The PRESIDENT: Order! There is far too much audible conversation coming from all quarters. If members wish to speak to each other, could they please retire from the Chamber.

The Hon. R.I. LUCAS: Thank you, Madam President, this is an important question.

The PRESIDENT: I am listening with bated breath.

The Hon. R.I. LUCAS: I am waxing and waning. As the Hon. Diana Laidlaw has said, the inside of some waxed apples tends to be floury and soft, yet the outside looks magnificent and is attractive to consumers encouraging their purchase. Independent sources have told me that the wax used is purely cosmetic and has no preservative function. They also tell me that large processing chains have been pressuring growers—not only in South Australia but also in other States—to apply wax to their apples. I am also told that the waxing of apples is illegal in South Australia under existing legislation, that no action has been taken against people doing this, and that some growers have spent up to $100 000 installing plant and equipment to wax their apples.

I am told, further, that concern is held in some health industry areas about the types of wax being used on apples. I am also told that the National Health and Medical Research Council considers this matter sufficiently serious that it has investigated the situation and made recommendations about limitations to be placed on the types of wax that can be used in this process. Those recommendations have been made for action to be taken by State Governments. Mr Lockyer, spokesman for the Apple and Pear Association, has informed me that growers met recently to consider this situation, and they want action by the State Government. They do not support a ban on waxing, but do support a compromise position whereby sales of waxed apples should only be allowed if the law provides that the fact that the apples are waxed is advertised.

They are also interested in limitations and restrictions on the types of wax allowed to be used under State legislation. Is it correct that under present legislation waxing of apples is illegal in South Australia and, if so, is it also correct that no action has been taken about what is, in effect, an illegal practice? What action, if any, does the Government intend taking in relation to this matter and, in particular, in relation to recommendations that the Government may have received from the National Health and Medical Research Council?

The Hon. J.R. CORNWALL: The Hon. Mr Lucas has pumped this question up a fair bit in an attempt to make it a little interesting—it is about as interesting as yesterday's newspaper. There is no concern about this matter in the community at all—

The Hon. M.B. Cameron: I have walked down the street and seen the sign 'These apples are unwaxed'.

The Hon. J.R. CORNWALL: The waxing of apples has been carried out interstate for many years. The substances used for that waxing add nothing and take nothing from the apple—they do nothing but add to the cosmetic appearance of the apple.

The Hon. R.I. Lucas interjecting:

The Hon. J.R. CORNWALL: I had a full briefing on this matter with me on the day that we came back to Parliament, but now I cannot find it.

The Hon. C.J. Sumner: They don't ask their questions on the right day.

The Hon. J.R. CORNWALL: What is the use of my sitting up all night worrying about what questions might be asked and then, six weeks later, the question is asked. I can only carry the one hulking great case around with me, and when I dived into it I had everything from A to Z except something under 'W'. I am not about to make specific statements that might lead me into difficulty—suffice it to say that the waxing of apples has occurred interstate and overseas for many years and is occurring in South Australia at present.

The Hon. R.I. Lucas interjecting:

The Hon. J.R. CORNWALL: Waxing in South Australia is not done terribly well. My wife brought some apples home a few weeks ago and they were blotchy and not well waxed. The material used to wax apples is not harmful, and there are specific NH&MRC recommendations in relation to them. I am not able to call to mind the legal situation at this time, but there is no great rort or racket going on in South Australia in relation to waxing apples, let me assure the honourable member about that.

I can also tell the honourable member that I used to go shopping with my wife until I became so widely known that she said to me, 'Please do not come with me any more, you've blown my cover,' so I do not go shopping with her any more.

The Hon. R.I. Lucas interjecting:

The Hon. J.R. CORNWALL: If the Hon. Mr Lucas ever becomes a public figure of my stature, I am sure that his wife will say the same thing. I cannot comment specifically on the market, because my wife makes me stay away when she shops. However, I can assure the South Australian public that there is no harm whatever in waxed apples, and that we are considering regulations regarding the specifics of what additional regulatory control or amendment we should develop. I will bring back a reply for the honourable member after I take further expert advice, as I cannot remember the fine detail.

WORKERS COMPENSATION

Order of the Day, Private Business, No.2: Hon. G.L. Bruce to move:

That regulations under the Workers Rehabilitation and Compensation Act 1986 concerning claims and registration made on 6 August 1987 and laid on the Table of this Council on 11 August 1987, be disallowed.

The Hon. G.L. BRUCE: I move:

That this Order of the Day be discharged.

Order of the Day discharged.

PRAWN FISHERY

Order of the Day, Private Business, No.4: Hon. G.L. Bruce to move:

That the regulations under the Fisheries Act 1982 concerning West Coast Prawn Fishery Scheme of Management 1987 made on 16 April 1987 and laid on the Table of this Council on 6 August 1987 be disallowed.

The Hon. G.L. BRUCE: I move:

That this Order of the Day be discharged.

Order of the Day discharged.

KALYRA HOSPITAL

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

That this Council calls upon the Minister of Health and the South Australian Health Commission to reverse its decision of 30 July 1987 withdrawing funds for the operation of Kalyra Hospital at Belair, and condemns the State Government for this decision which was made without any consultation and was based on financial claims that cannot he substantiated.

(Continued from 14 October. Page 1137.)

The Hon. L.H. DAVIS: In continuing the debate, I wish to make a few additional points. First, what is most disturbing about the Minister's disgraceful conduct in relation to Kalyra is the way in which the hospice program has been destabilised by the Minister's bloody mindedness. As I said last week, the network of professionals and volunteers that has developed over years to service the hospice program—

The Hon. J.R. CORNWALL: I rise on a point of order. I do not want to be unduly touchy about these matters. I hand it out and I can cop it, by and large, but they persistently complain over there. Mr Davis puts himself up as one of the great gentlemen of our time. He has just described my conduct as disgraceful.

The Hon. L.H. Davis: Don't you think that is a strong enough word? Would you like me to use a stronger word?

The Hon. J.R. CORNWALL: Might I suggest that certainly in the context of this debate at least, that word is not only quite inappropriate but also unparliamentary and, Madam President, I seek your ruling. I have been asked to withdraw on things that were far gentler.

The Hon. M.B. Cameron: Poor, sensitive soul.

The Hon. J.R. CORNWALL: That is quite right; I am a sensitive soul.

The PRESIDENT: I would not have thought that describing one's behaviour as disgraceful in the context in which that word was used was a very serious allegation. Certainly, that word has been used on numerous occasions in this Council without the attention of the Chair being drawn to it. However, if the Minister feels offended by the use of the word, I ask the Hon. Mr Davis whether he will withdraw it.

The Hon. L.H. DAVIS: With deference to the Chair, I concur with the President's comment on the word 'disgraceful'. I do not believe it is unparliamentary, and for that reason I would not wish to withdraw it.

The Hon. J.R. Cornwall: I just wanted it highlighted on the record. I have made my point.

The Hon. L.H. DAVIS: It was a pretty—

The Hon. J.R. Cornwall: I do it every now and again. We keep a glossary of terms. I have been described as a dog and a cur by the Leader of the Opposition in this place. I have been called many things by Mr Davis. We keep a glossary.

The PRESIDENT: Order!

The Hon. C.M. Hill interjecting:

The PRESIDENT: Order! The Hon. Mr Davis has the floor.

The Hon. L.H. DAVIS: Thank you for your protection, Madam President. The principal concern of the professionals and volunteers associated with the hospice at Kalyra is the way in which the Minister's disgraceful conduct has destabilised the program. There are many people associated with Kalyra who are out of the mainsteam of medicine; they are volunteers who are committed to a cause, people who believe in the hospice program and who spend many hours of unpaid effort making the last days of those people who are terminally ill more comfortable and peaceful as well as providing necessary assistance, comfort, and counselling to the relatives and friends of deceased persons.

These people are fearful and angry; they are outraged at what the Minister has done. One only has to look at the advertisement that appeared in the *Advertiser* recently in relation to a public meeting on Tuesday 27 October 1987 at 7.30 p.m. at Blackwood Memorial Hall Coromandel Parade, Blackwood. The advertisement stated:

KALYRA HOSPITAL
The Public of South Australia say:
NO! MINISTER

1. The South Australian Health Commission claims that Kalyra Hospital needs rebuilding.

NO! Professional advice clearly refutes this notion, and, at a recent open day the attending public were impressed with the facilities and confirm this opinion.

2. The South Australian Health Commission claims that running costs of $1 million would be saved by redirecting Kalyra's services elsewhere.

NO! There has been no evidence produced to substantiate this claim. A call for the relevant file has been refused. WHY?

3. The South Australian Health Commission claims that the standards of patients' care will not suffer by the relocation of services to other sites.

NO! Tens of thousands of people have voiced their opinions that the quality of life and patient care provided by Kalyra cannot be duplicated elsewhere. Thousands of people strongly oppose the Government's proposal to withdraw funds from Kalyra Hospital.

This advertisement was inserted by the 'Save Kalyra Hospital Campaign'; and the Liberal Party says very loudly and very publicly, Mr Minister, 'No' to what you are trying to do to Kalyra.

The Hon. J.R. CORNWALL: On a point of order, Madam President, he is being very personal, and I find it offensive. I am a sensitive soul, and I do not have to sit here and cop this personal abuse direct. It should be directed through the Chair.

The PRESIDENT: I agree that all remarks made in this Council should be directed through the Chair.

The Hon. L.H. DAVIS: The Minister should know that the Opposition says 'No' to what he is doing about Kalyra, and members on this side express their concern and their criticism of the appalling way in which this whole operation has been handled. There has been a total lack of consultation; there has been a total lack of communication not only with the people at Kalyra but also with the professionals and the volunteers at Flinders Medical Centre who have been key people in developing the hospice movement in South Australia. As I said last week, I am a member of the Southern Hospice Association, which is headed by Dr Ian Maddox who is assisted ably by Mrs Helen Watts, president of the volunteers.

Those people have done a magnificent job in building the link between Kalyra and the Flinders Medical Centre. The Minister stands condemned by both the Southern Hospice Association and the South Australian Association for Hospice Care which, as recently as 1 September 1987, through its executive, condmened the Government's decision to withdraw hospice care services from Kalyra.

Those are not political views; they are the considered views of the key players in the hospice movement in South Australia. It says a lot for the Minister's compassion and ability to communicate when he locks horns with the people in the hospice movement—the people with the most sensitive job of all, of caring for the dying. I think that the Minister has a lot to answer for in the way in which he has addressed this problem and in his total contempt towards the distress that has been expressed by so many people associated with the movement.

In raising this important matter, the Hon. Martin Cameron touched on many points, and one point that I touched on briefly when I spoke previously was the Health Commission's and the Minister's seeming inability to work out what they really want in the hospice movement. Having said that they would split the functions at Kalyra and relocate the hospice in Windana and the balance of patients in the Julia Farr Centre, they now propose to relocate the hospice in Daw House. The Minister has to ask the question: how much will it cost to relocate the hospice in Daw House? Of course, the answer is that it will cost plenty of money.

I suspect that if the Minister were compelled to tell the truth in this sordid, shameful affair that we would find out that the cost of relocating Kalyra hospice patients into Daw House would be far more than the cost of upgrading Kalyra which, of course, the Minister has had some great uncertainty about. He is unable to come up with any fix on the price of upgrading Kalyra although, as we have heard on more than one occasion, the evidence from the people who visited Kalyra on open day and the evidence from the executive of Kalyra is that the costs of upgrading are very small indeed.

I have indicated my strongest possible support for this motion. I hope that it will not just be a pyrrhic victory—that it will not only mean that the Democrats support this motion, and we can have it passed as a motion of condemnation in the Minister but also that it can be taken further, so that Kalyra can be saved. I will be making my best efforts to get to the public meeting at Blackwood next week. I hope that members of the public who support the Save Kalyra Hospital campaign will also be there.

The Hon. M.B. CAMERON (Leader of the Opposition): I thank members for the attention that they have given to this motion. The State Government's decision, that has obviously been confirmed by the Minister, flies, in my opinion, in the face of reason and against the express wishes of the staff and board of Kalyra, of approximately 23 000 petitioners and many more who, no doubt, would have signed the petition if they had had the opportunity.

The State's citizens whose signatures appeared on the petitions presented probably represented a figure at least 10 times that number living in the metropolitan area from where they have been collected. The refusal rate, according to collectors of the petition's signatures, was of the order of less than one in a hundred. The support of the South Australian public in general was quite overwhelming when it can be further gauged by the immense number of people who have either written to the newspapers or spoken on talk-back radio in support of Kalyra's continuance. I have not heard one person say anything, or have seen one letter, that is in favour of what the Minister and the Government have done.

There has been only one exception and this has been the Minister himself who continues to use the same old tired worn-out cliches. It is terribly important to come back to this point about what those 23 000 petitioners represent as

they are merely the tip of the iceberg of public opinion (so to speak). It should be emphasised that no matter how lightly the Government's decision was taken to close Kalyra, it was taken without any consultation, as the Hon. Mr Davis said, with the people most concerned with the provision of hospice and rehabilitation services in the southern metropolitan region. These people with whom consultation should have been held before a decision was made with such far reaching consequences are, first, the public, relatives, friends and patients themselves who depend on the health care system. Many of them come from all shades of political opinion. I think that the Minister will find out more about that later. Secondly, the South Australian Association for Hospice Care Inc. looks after the interests of all hospice care organisations in the State. Thirdly, there are the Flinders Medical Centre professionals; fourthly, the Domiciliary Care Service of the Southern Metropolitan Region; fifthly, the Department of Rehabilitation Studies of the Flinders University of South Australia; and, finally, the trustees, management and the professional staff of the James Brown Memorial Trust and Kalyra Hospital and, as Mr Davis pointed out, the volunteers.

The people in this area have certainly given it full support. The other important hospice care organisation which the Hon. Mr Davis mentioned is the Southern Hospice Association which is headed by Dr Ian Maddox which has already pointed out to the Health Commission the gross inadequacies of the Daw House facility at the Repatriation General Hospital in its intended conversion from the Centre for Rehabilitation Studies to the proposed hospice care establishment. This is the sort of confusion which the Minister frequently exhibits in his efforts to convince the public that he is managing the system and which is now causing this large public outcry.

In addition to the above organisations with whom prior consultation should have been held, there are many bodies whose executives have expressed, in the strongest possible terms, their support for the retention of Kalyra specifically with regard to its hospice function. These include four organisations, as listed below, whose views reflect their concern for the welfare of hundreds of sick people who hitherto have looked to Kalyra for care support: the Anti Cancer Foundation of the Universities of South Australia; the Southern Suburban Medical Association; the Multiple Sclerosis Society of South Australia and Northern Territory Incorporated; and the Motor Neurorne Disease (Muscular Dystrophy) Association of South Australia Incorporated (whose concern is for patients seriously ill with disabling conditions of the nervous system). The Minister in his statement of 14 October 1987 referred to consultations that were held between the Health Commission and representatives of the James Brown Memorial Trust between 1981 and 1983—four years ago—which is to suggest that the decision announced publicly by him at Mount Barker on Sunday 23 August 1987 was based on outdated information which changed circumstances now dictate should have been discarded long before this decision was reached.

In the first place, the hospice movement generally throughout the State has undergone its major development in the four years since then, having only come effectively into being no longer than eight years ago. Nowhere, except possibly at the Mary Potter unit at Calvary, has this development proceeded as efficiently and successfully as at Kalyra. Again, I point out that in 1985 the Health Commission and the Minister were only too happy to fully use Kalyra in developing and presenting to the public its hospice care policy.

It is bending the truth for the Minister to state that the Health Commission's knowledge of Kalyra goes back before the time of the present management and trust representatives. There are explicit and highly commendable reasons for this. Following a review of the trust's management practices by Touche Ross Services in August 1985, the former Manager and the former Director of Nursing were replaced by the trust. Advice was also taken from an investigation conducted at the trust's request by Ms Lesley Cooper of the Sociology Department of the Flinders University, to help the trust in the planning and implementation of its hospital functions beyond its own centenary in 1994 and by the turn of the century in the year 2000 AD.

As a result of these investigations there was positive support from the trust and supporting bodies, such as the Flinders Medical Centre and the hospice movement, for increased hospice and convalescent services and other ancillary services to enable Kalyra to meet the growing demands which would be placed on it and all health institutions in the southern and south-western regions. This was predicted due to large changes in the demograpic trends in the geriatric age groups and to the increasing need for the quality service care.

So rapidly are the requirements changing that it also became necessary for institutional care and hospice care in the home, and in hospital settings, to be planned to meet a possible influx of AIDS sufferers. I know, Madam President, that the Kalyra management and staff have already stated their willingness to participate in this special area of care for highly skilled and compassionate staff and facilities for treating sufferers from the deadly disease of AIDS. It is particularly appropriate that Kalyra should be so ready, when the time comes, to adopt the role to care for terminal AIDS patients as it is another highly infectious form of transmissible disease and it is not so many years ago that the old TB sanatorium, to which the Minister sarcastically refers, used to care for sufferers of tuberculosis. I remember that: I went to school in that area and probably know as much about what happened then as the Minister. For many years Kalyra was the principle institution for convalescent care when TB was a disease which demanded special precautions for the staff who attended sufferers.

The present trust membership includes three long standing members with an intimate knowledge of its background—I am sure the Minister knows them. They are Dr P.S. Woodruff, appointed in 1953, a former director of Public Health to the South Australian Government; Mr Vic Mortimer, a former accountant who has been associated with the trust for 31 years as a trustee and former manager of Kalyra and is now the Chairman of the hospital's Management Committee; and Mr Don Crane, a trustee for the past 17 years. It also includes other professional people with a wide variety of experience in law, finance and health care management, namely, Mr J. Doonie, senior partner in a law firm; Mr Les Davis, General Manager—Finance, Mutual Community; Dr Elizabeth Hobbin, specialist, physician geriatrician; Dr Ron Harris, a senior clinical psychologist and lecturer at Flinders; Mr F.T. Wilson, merchant banker; Mr B.F. Waite, Deputy General Manager, Executor Trustee Company; and Dr W.S. Lawson, chairman, who is a qualified and experienced health administrator in various capacities serving on a number of health related committees and boards.

Prior to the Minister's announcement of the closure, the Deputy Chairman of the Health Commission, Mr R. Sayers, together with three senior officers, met the chairman of the trust and the Chief Executive Officer of Kalyra on 30 July 1987 to make a preliminary announcement of the Govern-

ment's intention and 'to test the waters'. They were immediately disabused of their idea that the trust would lie down and passively accept their drastic proposals. At the previous official meeting between the Chairman of the Health Commission and the Chairman of the trust on 20 November 1986, no intention of the commission had been expressed that Kalyra's total hospital function would cease and funding be withdrawn at such short notice. Also, it was stated by Dr McCoy at the time that the SA Government and the Commonwealth Government had some long range plans for the amalgamation of services between the two Governments at the site of the Repatriation General Hospital, but it was not envisaged that these would be likely to take place within the next decade. That was quite clearly understood.

By now members and the public generally are aware that the original intention of taking the hospice functions away from Kalyra was that it should be re-established at the Southern Cross managed Windana Nursing Home—the site of the old reformatory at Glandore. Within three weeks, this was changed to Daws House at the Repatriation General Hospital, and the present unit of rehabilitation studies there would be relocated (temporarily) at the Julia Farr Centre. The dates of the expected commencement of these operations would be respectively, 1 February 1988 and 1 October 1987. Within four weeks of the first alterations these dates were also amended to 1 June 1988 and 1 February 1988 respectively. It is now anybody's guess whether either location will be prepared to accept the influx of patients from the Royal Adelaide Hospital, Flinders Medical Centre, Queen Elizabeth Hospital and so on, by the revised dates with the impending threatened closure of Kalyra.

So much for members of the Health Commission and the Minister knowing all about hospice care. They did not even pick the right spot in the first place. One would have thought that in a drastic move like this at the very least the Government should have made sure that the replacement was suitable. The Government did not even know enough about hospice care to know that that was an unsuitable site. Only three weeks later it decided it was. I do not believe that the Minister knows anything about hospice care. So much for his claim of 'managing the system.'

The financial aspects of all their mismatch of chess-board shuffling also has some highly suspect questions hanging over it related to the supposed savings of capital costs and operating costs for the Health Commission's budget which the management of Kalyra has already accessed by submitting a plan for alternative operating arrangements.

Assessments of the alterations to the buildings and physical structure of Daw House and of the Julia Farr Centre have been made to bring them up to a satisfactory standard for the admission of hospice and rehabilitation patients. These assessments were made by the specialised staff teams of Kalyra who visited Daw House for this purpose at the request of the management on 9 September 1987 and to the Julia Farr Centre's Cheltenham building on 1 October 1987.

This was done on the request this time of Julia Farr's Medical Director, Dr Peter Last, of whom it may be said at least that he was keen not to let the grass grow under his feet. The assessment teams, together with representatives of the Southern Hospice Association in respect of Daw House, have found that there are gross inadequacies existing in the physical characteristics of each of the buildings and that major alterations will need to be done before they are considered suitable, safe or satisfactory in meeting required nursing standards not only for proper working conditions but also for the severely incapacitated patients themselves in both hospice and rehabilitation categories. No estimates of the likely costs of these alterations have so far been given, nor of the consequent uncertainty of the dates by which possible major public works would need to be completed.

Added to this there is the complexity of completing any agreement between two such diverse authorities as the Commonwealth's Department of Veterans Affairs and the South Australian Health Commission. Rome was certainly not built in a day, and this applies particularly when two separate groups of public servants from different jurisdictions are involved. Other problems which are of paramount importance in relocating these services are the considerable rearrangements which will be necessary in the nursing and domestic staffing and rostering routines which these moves will entail. Naturally, all these matters are of great concern not only to the management and staff of all three institutions concerned but also to the RANF, which is very concerned for the welfare of its members and their working environment and conditions. As the Minister says 'This is what's called managing the system,' and the blame for the obvious mismanagement that has occurred must therefore be clearly laid at his feet—those same feet that have stood in this place when the Minister said, 'Kalyra is finished and nothing is going to change my mind.'

As to the sad and sorry statements made by the Minister concerning the RSL's unsubstantiated allegations about a dirty toilet on one occasion at Kalyra, which I referred to in the Council, the Minister unfortunately had his written speech and was unable to change it at short notice. He therefore proceeded manfully onwards and ploughed along, but made a fool of himself by doing so. I am advised that there have in fact been two other complaints from returned servicemen or women, one concerning a previous lack of segregation in toilets, the other being that such is the high standard of care at Kalyra that there was a danger of killing their patients with kindness.

The Hon. J.R. CORNWALL: Madam Acting President, I seek your ruling. I have just been described by the Hon. Mr Cameron as a fool. I think that that is unparliamentary. I am very sensitive. I have to sit here and listen to this tirade of abuse. I think the behaviour of the Opposition is really most insensitive, and I ask that that be withdrawn.

The Hon. M.B. CAMERON: Madam Acting President, can I say something?

The ACTING PRESIDENT (Hon. Carolyn Pickles): The Hon. Mr Cameron will please refrain from using such unwarranted language.

The Hon. M.B. CAMERON: I said, Madam Acting President, that the Minister made a complete fool of himself. I did not describe him directly as a fool: I said that he made a fool of himself. I did not make him a fool. He did it himself. Madam Acting President, I am sorry that the Minister is such a sensitive soul. I really feel for him. He is so sensitive towards everyone else in the community that I can well understand his sensitivity in this place. In this Council he has called me a diseased maggot; he has called the Hon. Mr Lucas a sleeze bag—

The ACTING PRESIDENT: Order! Perhaps the Hon. Mr Cameron will continue with his speech.

The Hon. M.B. CAMERON: I will, but I would like to say that I understand his sensitivity.

Members interjecting:

The Hon. M.B. CAMERON: I am not.

The ACTING PRESIDENT: Order! Mr Gilfillan.

The Hon. I. Gilfillan interjecting:

The Hon. M.B. CAMERON: I agree. I am glad that the Hon. Mr Gilfillan said that. I agree with him. The Minister has lowered the standard of this place since he has been a

member here, I must say. Madam Acting President, I was saying regarding Kalyra that there was one complaint that the standard was so high that the person involved was concerned that they were going to kill their patients with kindness.

Madam Acting President, I know that the RSL has been deeply concerned at the way in which the Minister has used that motion as an attempt to justify his closure of Kalyra. That has caused much anguish in the RSL, because that was certainly not their intention at any stage, and the RSL has been deeply hurt that that motion was used, because the RSL has the highest respect for Kalyra. It is most unfortunate that the Minister grabbed hold of any straw in this whole affair to try to justify the stand that he has taken. There continues to be a steady stream of admission of patients from the Repatriation General Hospital, 65 having been admitted for rehabilitation attention when it is unavailable at Daw Park and 19 for hospice care, making a total of 84 patients since 1 January 1987.

The Minister claimed in an attempt to defend the proposal to relocate at Daw House that, being part of a big hospital complex, 24 hour medical and nursing cover would be available only at the Repatriation Hospital, implying that the same was not true of Kalyra. This clearly indicates the Minister's lack of knowledge of medicine if he thinks that at a hospital they shut up at 5 o'clock and that no care is given after that time. The Minister should go up to Kalyra and spend a night there and perhaps get some idea. That was a manipulation of the truth, saying that the same was not available at Kalyra. Specialised staffing at Kalyra is available on call, 24 hours per day. General medical and nursing staff at the Repatriation Geneal Hospital, on the other hand, may well be unsuited and inexperienced completely to handle the very special attention which is required by young or old terminally ill hospice patients. Hospice patients are a totally different category—yet another mistake by the Minister. It is some way of 'managing the system' when one can do that or bring that particular event into being.

Some other highly important features need to be emphasised concerning Kalyra's right to continue to operate as it has been doing during the 93 years of the trust's existence since it was established by a private Act of the South Australian Parliament in 1894. The first of course is that it is totally non-sectarian and non-political, as a perusal of its original board members and of every aspect of its further operations confirm. The original board contained the Anglican Biship of Adelaide at the time, a Roman Catholic priest and an Hebrew minister. To show that it was quite egalitarian even for the times, I state that it contained one woman—Catherine Helen Spence whose position until 1902 as the only woman on the board was succeeded by Dr Elizabeth Hobbin as recently at 1986.

The James Brown Memorial Trust Inc. has been diligent in its efforts to maintain high standards amongst its staff, and to this end in May 1897 it became formally affiliated with the Flinders University of South Australia, thus strengthening the existing bond between Kalyra hospital and the Flinders Medical Centre as a centre of excellence. Apart from the mutual advantages of such an affiliation, one of the objectives has been to jointly further the development of the proposal for a chair in palliative care at Flinders University which would create a unit to foster high standards in the care of hospice patients and in the areas of research and training of personnel for hospice care. The trust had agreed to help in meeting the considerable costs in the establishment of a chair in palliative care at Flinders, but this would, of course, be dependent on the continuance of a major hospice facility at Kalyra.

The trust has also fostered the holding of seminars and other teaching and research activities at Kalyra and was itself a joint sponsor with the South Australian Association for Hospice Care and the Southern Hospice Association of a highly successful seminar involving 150 people from all over the State as recently as 26 June 1987, and acclaimed as such. Together with the Southern Hospice Association and the Anti-Cancer Foundation, the trust has also recently supported the visit of its Acting Medical Superintendent, Dr Roger Hunt, to St. Christopher's Hospice in London and other similar units in the United Kingdom to further his specialised skill and knowledge in this subject, St. Christopher's being an acknowledged world-wide centre for hospice care.

With these recent involvements, the planning for all of which preceded the Government's announcement of its intention to close Kalyra, there has been a strong pattern of development and an emergence of a clearly foreseen continuing role, especially in hospice care and also to a lesser extent in rehabilitation care. It is a mistake for the Minister and the Government not to heed the protests of the Kalyra community and one for which Government may well pay dearly. The true worth of the hospital, which has shown its ability to provide a vital service to the community so efficiently, is to be estimated not only in terms of cost effectiveness in purely dollars and cents but also in terms of its record and its intangible qualities of devoted care. Far from condemning Kalyra for its real worth, the Government should be expressing its gratitude to this institution, to the people who work in it and to the people who have supported it over the years. Frankly, I cannot understand the Government setting out to destroy an institution such as this which was clearly the basis of hospice care in South Australia. It has been seen by the Government as that, and I frankly cannot understand the Minister's trying to indicate that, if Kalyra had been kept open, other things would not have happened. That is sheer nonsense, Madam Acting President.

The Minister knows only too well that a number of those matters were already in train. He is trying to grasp at straws in order to justify the decision that he has made, which must lead to a diminution of hospice care in this State and in the quality of such care. I just hope the Minister is not in need of hospice care in the near future, if he was, he would then realise the loss that this institution is to the community. If he went to Kalyra and saw it in the situation of people who use it, he would see that it is a place of peace and tranquillity, a pleasant place to be for many people in the last hours of their lives.

The Hon. C.M. Hill: Did you see those hundreds of people out on the steps the other day?

The Hon. M.B. CAMERON: Yes, I did, and I cannot understand the Minister. It is not only that; it is also the hospice unit itself, which is larger than just the hospital. That unit is there, but it has been destroyed by this Minister and the Government. I ask the Council to support my motion.

Motion carried.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 October. Page 1139.)

The Hon. K.T. GRIFFIN: This Bill was introduced by the Hon. Mr Gilfillan, and I believe that he obtained the idea for it from the Victorian Liberal Party because, on the day after it appeared in the Australian and Melbourne newspapers that the Liberal Party in Victoria was going to introduce a private member's Bill to prevent the State from making its births, deaths and marriages data accessible to the Commonwealth for the ID card, the Hon. Mr Gilfillan announced that he intended to introduce a private member's Bill. So, the origin of the concept came from the Liberal Party in Victoria.

I suppose if I had been quick off the mark I, too, could have indicated that I would introduce a private member's Bill. However, the difficulty with the Bill is that it places very heavy financial burdens on individuals who might make information available from the register of births, deaths and marriages to the Commonwealth or an agency of the Commonwealth for the purpose of a national ID card, for an upgraded tax number or for any of a number of reasons which might relate to the national data base to centralise information on members of the public.

I indicate, Madam Acting President, that the Opposition is generally in agreement with the principle that the State should not make available to the Commonwealth its data base relating to the registration of births, deaths and marriages. The Opposition would like to see embodied in the legislation a statement which picks up that principle without placing grave penalties upon individuals and officers which this Bill seeks to achieve. I hold the view that the sort of statutory statement which ought to be made is one which might form the basis of actions, say, in the Supreme Court, for an injunction to restrain the State from making this data base available to the Commonwealth.

The Hon. C.J. Sumner: What about the electoral roll?

The Hon. K.T. GRIFFIN: There is a joint roll agreement and, of course, that does not contain—

The Hon. C.J. Sumner: Legislation in State Parliament would overrule any joint roll agreement.

The Hon. K.T. GRIFFIN: We are talking about a data base of births, deaths and marriages.

The Hon. C.J. Sumner: Being made available to the Federal Government, which is what we do through the electoral roll.

The Hon. K.T. GRIFFIN: That is the electoral roll, it is not births, deaths and marriages.

The Hon. C.J. Sumner: But the births, deaths and marriages office makes the information available to the Federal Electoral Commission. Didn't you read my speech?

The Hon. I. GILFILLAN: On a point of order, Madam Acting President, there seems to be some sort of intrusion into the procedure of the Council. I understand that the Hon. Trevor Griffin has the floor.

The ACTING PRESIDENT (Hon. Carolyn Pickles): Thank you for calling that to my attention, Mr Gilfillan. I am closely monitoring the progress of this debate.

The Hon. C.J. Sumner: Will the honourable member answer my question which was asked by way of interjection? It is a legitimate question. Do you prohibit that?

The ACTING PRESIDENT: Order! The Hon. Mr Griffin has the floor.

The Hon. K.T. GRIFFIN: Madam Acting President, I acknowledge that there are difficulties in the creation of an offence which makes individuals liable to penalties. As I have indicated, the Opposition supports the general principle that a data base should not be made available to the Commonwealth for the purpose of centralising information on members of the public. However, if an individual produces a marriage certificate or a birth certificate, or if a relative produces a death certificate, which all relate to some form of central registry that contains data about individuals for the purpose of an identification system or a taxation identification number, then the Opposition has grave concerns about that information being made available.

One of the matters which has been discussed in the public arena is the establishment by the Commonwealth of its own registry of births, deaths and marriages, which, thinking ahead, is obviously designed to overcome the sorts of problems which the Commonwealth says it has with States that have a proprietary interest in this type of information.

It is interesting to note that in the area of companies and securities we do not yet have an integrated computer system which maintains a register of all companies incorporated in Australia or registered here as foreign companies from overseas and that, if the Federal Attorney-General presses on with his threat to take over the area of companies and securities, he will be at a considerable disadvantage if he cannot lay his hands on the registry information relating to companies and securities data held by the States.

The Hon. T. Crothers: You are thwarting the task of the National Crime Authority.

The Hon. K.T. GRIFFIN: That is nonsense; that authority is a joint State and Federal venture, and is a cooperative arrangement with proper guidelines and procedures—the States cooperate with the National Crime Authority, I presume, and the National Crime Authority cooperates with the States. That is irrelevant to this issue, which is whether data for the purposes of a national ID system ought to be made available by the States, particularly information peculiarly within the responsibility of the States. We support the principle of the Bill, will support the second reading, but will look carefully at its drafting with a view to modifying it considerably to remove some of the penal consequences that might inadvertently arise as a result of its administration.

The Hon. DIANA LAIDLAW: Like my colleague, the Hon. Mr Griffin, I support the second reading of the Bill, accepting the validity of this Chamber's addressing what I consider a very important issue—limiting the Federal Government's access to this State's birth, deaths and marriages records, notwithstanding the fact that the Federal Government does not intend at this time to press ahead with the infamous ID card legislation. On 12 August last I moved the following motion:

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.

That motion passed this Council, and a message has been sent to the House of Assembly seeking its concurrence. The Government made strenuous efforts so that it would not have to divide on that motion because it had divisions within its own ranks which were greater than the divisions between the Opposition and the Democrats in relation to this matter—but that is in the past. It is important that the States take the initiative to have a say in this matter, and to indicate that they do not want to be part of this national births, deaths, and marriages system while the Federal Government has not made up its mind about what it intends to do in relation to a national identification system.

I moved that motion because I saw it as a way to legally sabotage the ID card proposal. I considered that step necessary at the time, because the Federal Government was determined to persist with its obsession to impose this complex and invasive system on people, despite overseas

experience which, if the Federal Government looked at the evidence, showed that such a system was not successful in combatting taxation and welfare fraud.

The Federal Government also ignored the majority view expressed by the joint Federal select committee that it established to consider the Australia card legislation. It also ignored the advice of Federal Police, the Department of Social Security, the Auditor-General, and Mr Costigan Q.C.—whose views are important to this measure because, as the Hon. Trevor Crothers mentioned, there is considerable concern in the community about organised crime in this country—who is absolutely and unequivocally opposed to the Australia Card. The Federal Government took no notice of his advice. Other eminent figures of considerable integrity were equally opposed to this measure, but the Federal Government took no notice of them, either.

It was up to people such as State members of Parliament to take the initiative in this matter. I have hoped since it was first aired publicly at the tax summit in 1985 that the Hawke Government would see the folly and dangers inherent in its course of action in relation to this card, and would back down about proceeding with a national identification card. Also, I had hoped that community resistance would be sufficiently strong and widespread across Australia to persuade the Hawke Government to come to its senses and to realise that even if the legislation were passed it would not work.

To that end I was involved with the South Australian campaign against the Australia Card that was termed 'Noid' (No identification). The members of Noid's committee represented diverse interests—trade union officials, both blue and white collar; Festival of Light; Australian Small Business Association; the Chamber of Commerce and Industry; the Civil Liberties Council; the Australian Democrats; the Liberal Party, represented by me; and a wide selection of other people including housewives—as they called themselves, but I called them 'Domestic Managers'—and men and women operating small businesses.

In addition to attempting to activate community resistance to the ID card, I realised that steps could also be taken in this Parliament, so I moved that motion on 12 August. The Hon. Mr Gilfillan has taken that matter a step further by introducing this Bill to which I am now speaking. Both the Bill and my motion address the same problem—the fact that the implementation of a national identification system in this country would require all State Governments to agree to access to births, deaths, and marriage records of the State, which are absolutely vital to establishing identification of a person at the time of issue of an identification card. Without the agreement of all State Governments the system would be inoperable, notwithstanding the passage of Federal legislation.

That was my design, and is the design of the Hon. Mr Gilfillan, who I commend for introducing this Bill, which is in a stronger form than the motion which I moved and which was subsequently passed. I accept the Hon. Trevor Griffin's assertion that this Bill requires amendment. I have read the Attorney-General's speech on this matter with great interest, and believe that he was right in some respects and that the Bill must be amended to accommodate some of his concerns. However, I suggest that he inflamed and coloured his speech deliberately to focus on issues that I believe can be addressed by amendments to this Bill, issues that do not render it inoperable, fanciful, or a waste of the time of this Parliament in discussing it. The Attorney attempted to discredit the Bill and its principles.

His contribution was not credible in that respect, but I acknowledge that points must be made in terms of amendments. I note that the Hon. Mr Gilfillan has placed amendments on file, and the Hon. Trevor Griffin intends to do the same. I will consider the Hon. Trevor Griffin's amendments (and I understand that they will be available shortly) and also the Hon. Mr Gilfillan's amendments. I believe it is worth persisting with this Bill, especially as the Federal Government is yet to make up its mind on this measure, and in that sense it is extremely important that the State Government take a stand.

One of the difficulties we encountered when debating the Australia Card issue in the past was that the States and people in general were always on the back foot. While this matter is in abeyance, we must not become complacent; we must make statements at this stage so that the Federal Government, in considering any proposal in future, can take into account statements made in this Parliament and in the community about what the Australian people believe is acceptable, instead of the Federal Government's telling us what it believes is in our best interests and what it seeks to impose. I support the second reading.

The Hon. I. GILFILLAN: I thank members for their contribution to the debate. In particular, I thank the Hon. Di Laidlaw for her comments and support, and the Hon. Trevor Griffin for his indication of support, recognition of the value of the measure, and awareness that the Bill as originally drafted required amendment. I look forward to studying his amendments. I thank the Attorney-General's speech writer; as one sifted through the Attorney's speech, one found reasonably constructive suggestions. However, the Attorney's contribution was directed more to incidental observations about the Democrats' performance and my performance as a politician than to the real issue, and as far as his—

The Hon. C.J. Sumner interjecting:

The Hon. I. GILFILLAN: Unless the Attorney is in his seat, he cannot interject. I want to put on record that the Attorney's speech writer picked up several constructive points, and for that I am grateful in relation to the contribution that appeared in *Hansard*. What was of great significance was that the Attorney's speech and the debate have flushed out the Attorney's support for the ID card. It is beyond any question of doubt that these measures must be taken. I refer to the measures taken in New South Wales and South Australia on the initiative of the Australian Democrats.

I understand that the Liberal Party in Victoria introduced a Bill, but it involved other measures such as drivers licences; certainly, I did not want to introduce a similar measure here. This Bill is designed specifically in terms of the Democrats' interpretation of what is required. But—and I come to the main point—the *News* with its usual perspicacity picked up this fact. Under the headline 'ID still on the cards. "No doubt" plan will resurface, Sumner' an article states:

> Australia one day will have a national identity card, South Australia's Attorney-General, Mr Sumner, has predicted. He says there is 'no doubt' the controversial proposal will be resurrected in time.
>
> 'Obviously it will not be at this moment,' Mr Sumner has told the Legislative Council. 'But the reality is that this country at some time will need some kind of upgraded national identity system and there is no doubt about that.'

It has revealed that the Attorney-General, the leader of the Government in this place—

Members interjecting:

The PRESIDENT: Order!

The Hon. I. GILFILLAN: —is a fervent supporter of the ID card proposal. We should quake in our shoes, because

this matter will persist over the years. I quote directly from the Attorney's speech:

> . . . the reality is that this country at sometime will need some kind of upgraded national identity system. . .

He further stated that for the moment the ID card will not be proceeded with. They are ominous words, words that fully justify members in this place, from whatever Party, those who share a concern as freedom lovers, being on the alert that any legislation that is introduced does not surreptitously introduce an ID card system. I would be very interested to know—in fact, I think I could make a reasonably intelligent guess—how many of the Attorney's political colleagues share his sentiments and enthusiasm for an ID card system. We can make some unfortunate observations in the Attorney's speech, to which I must refer because, unfortunately, if they remain unchallenged the gullible reader may pick up in *Hansard* calumny in such remarks as, 'The Democrats do not want to see action taken against tax cheats and welfare fraud.'

I utterly refute that, and consider it to be an absolutely unjustified accusation. I challenge the Attorney-General, who is very glib on what he sees as the neat and insulting throwaway remarks, to substantiate that comment with fact. He calls our actions a publicity stunt. The fact is that, if a measure is determined to protect the people of South Australia and Australia against intrusion into their civil liberties as ID legislation would impose, and it can only be described as a publicity stunt, quite obviously the Attorney-General is deliberately denegrating the importance of the subject under discussion. If there is to be publicity about the introduction of ID card legislation, and God knows there was much publicity, why should there not be publicity on the measure—a deliberate, calculated, and sensible measure—to refute that legislation?

Again, this is another example of the Attorney's resorting to calumny rather than constructive debate on an important issue. He makes great play of the fact that the Bill as originally drafted contains some weaknesses, and I accept that. When I address the points that the Attorney's speech writer made, I will acknowledge that there are faults which should be addressed by amendment. But how many Government Bills are brought into this place side by side with amendments to be moved by the Minister who introduced the Bill. I do not regard it as a matter of shame that the original drafting of the Bill must be amended.

Before leaving my observations on the Attorney's contribution to the debate, I would like to echo that non-political but quite astute observer who stated, 'The Attorney-General is a bit mischievous in his attitude to this issue,' and I think that is a pretty neat description. I hope that in due course he will realise that to cause mischief is not the main reason why he is in this place, and that this measure deserves more serious attention. I would like members to pay attention to the amendments on file. There is a relatively simple alteration to the wording. Clause 2 provides:

> Notwithstanding any other law to the contrary, it is unlawful for any person to make available . . .

The amendment will leave out 'it is unlawful for any person to' and insert 'The Principal Registrar, the Deputy Registrar or any district registrar or assistant district registrar—

The PRESIDENT: Order! The Hon. Mr Gilfillan must not discuss his amendments at this stage. He must continue with the substantive debate.

The Hon. I. GILFILLAN: I was referring to the general trend of what the amendments will attempt to do. They will pick up a couple of the points that the Attorney's speech writer made, one being that there could be an obstruction of proper cooperation with the Electoral Commissioner, with social security, and in some other areas where, quite properly, there should be access to individual details contained in the Births, Deaths, and Marriages Register in South Australia. Regarding computerisation, there is no reason why details in the Births, Deaths, and Marriages Register in each State should not be computerised or why there should not be specific sharing of information. In introducing this Bill the Democrats are not in any way attempting to hold back progress and efficiency in the births, deaths, and marriages statistics.

I will not again go over the reasons that I stated in my second reading contribution for our objections to the ID card legislation as originally proposed or any scheme like it. However, I will repeat that our concern is that the State has only one way in which it can obstruct a universal ID card scheme, and that is by the measure we are trying to introduce in this Bill. The Attorney-General's speech writer suggested that there could be a sunset clause. I consider that to be a mature and sensible observation, and I invite the Attorney-General to move such an amendment in the Committee stage. With the promise that amendments will be moved by the Hon. Mr Griffin we have a chance, during the Committee stage, to improve the wording of the Bill. Nonetheless, I believe that the Council, to a large extent, supports the intention of the Bill, and I look forward to its support at the second reading stage, during Committee, and in its final stages. I commend the Bill to the Council.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

ABORIGINAL HEALTH SERVICES

The Hon. M.J. ELLIOTT: I move:

> That this Council is concerned by the current policy of the Health Minister to defund independent Aboriginal health bodies and to then absorb their activities into the Health Commission.

I have a number of concerns across health areas, and this motion is one of three that relate to activities of the Health Commission and the Minister in defunding various bodies and then incorporating their functions in the Health Commission. It is part of a general thrust that is occurring in health services, although it has not been stated public policy.

The Hon. J.R. Cornwall interjecting:

The Hon. M.J. ELLIOTT: Kalyra.

The Hon. J.R. Cornwall: It hasn't been incorporated.

The Hon. M.J. ELLIOTT: I did not say it was. What I said was that it had functions removed from it by way of defunding and then moved into Health Commission bodies, and that is correct. That is what happened with the Christies Beach Women's Shelter where it came under DCW, and the same occurred in a number of other areas. I will start by looking through two reports that have been prepared for the Government on Aboriginal health services. The first report is known by the short name of the Foley report and was presented in May 1984. In a letter, acting as a foreword, Gary Foley made a number of comments which I think should go on the record. He said:

> Dear Dr Cornwall,
>
> I have pleasure in presenting to you the report of the Committee of Review into Aboriginal Health. I must convey to you the apologies of myself and the committee for the delay which was due primarily to lack of secretarial assistance after the committee completed its actual deliberations.
>
> Nevertheless, I believe that the committee has identified the major weakness in the current Aboriginal health delivery system in South Australia, and we have proposed basic changes which I believe will substantially improve the system. The key element of our findings and recommendations is to establish effective

Aboriginal community control over as much of the system as possible, thereby ensuring that future developments will accurately reflect the needs, desires and aspirations of the South Australian Aboriginal community.

It is the sincere hope of the committee that our recommendations be implemented speedily and with a minimum of problems so as to ensure a smooth transition to Aboriginal participation and control. I would like to take this last opportunity to personally thank you and your office staff for your support, encouragement and patience as we proceeded with our difficult and at times controversial task. I would also like you to be aware that I am eternally grateful to Mr Elliott McAdam for his expert advice, assistance and support, and also to Messrs John Zadow of your department and Gokula Chandran of A.H.O., without whose generous time, energy and support we would not have completed the report.

In conclusion may I say that it has been an honour and privilege to have known you and worked with you, and I leave South Australia confident that your humane, compassionate and enlightened approach to Aboriginal health will facilitate an early implementation of our recommendations, and thus improve the quality of life for my South Australian Aboriginal brothers and sisters.

Yours faithfully,
Gary Foley,
Chairman,
Committee of Review into Aboriginal Health.

The Hon. M.B. Cameron: I wonder whether he still feels that way?

The Hon. M.J. ELLIOTT: I am not at all sure that he does. Nevertheless, this report of 7 May 1984, and presented to the Hon. Dr Cornwall at that time, made a number of recommendations and observations that should go on record before I look at the developments that have occurred since then. Page 47 of the report concerning 'Proposal for Change' under the heading 'Aboriginal Health Council of South Australia', states:

It is the opinion of the review committee that the first step toward improvement of the supply and delivery of services to Aboriginal people lies in the community-control process.

Further, he says that the council must be set up independent of Government influences and interference. On page 50—and this is something of an aside, but it will save me referring back to it later—Mr Foley comments about the problem of petrol sniffing, and states:

A matter of particular concern to the committee is that of the problem of petrol sniffing. In the north and the west of South Australia petrol sniffing amongst Aboriginal juveniles, and some young adults, is chronic. In some communities, well over 50 per cent of children from the ages five and six years to 20 years are regular, daily petrol sniffers.

A whole generation of Pitjantjatjara and Yankunyatjara children are growing up with petrol fumes. That report is three years old and the Minister is now announcing that, with the Franks team, he has the magical cure, and has been ducking issues such as the total failure of the Birthday Creek program and other things that I will relate later. Why on earth—

The Hon. M.B. Cameron interjecting:

The Hon. M.J. ELLIOTT: I do not know whether he read the report at the time, but why something was not done then and there rather than some years later is totally beyond me. It really took a couple of articles in the *Sunday Mail* before the Minister said that he would solve this problem, and that was some years later—well over two years later—and yet Garry Foley had quite clearly pointed out a problem in Aboriginal health at that time.

Other comments on page 50 of the report are as follows:

In the committee's view, an important factor in explaining the difficulties experienced by Aborigines in other areas, as with health, is the lack of a significant degree of Aboriginal control of, and involvement in, the design and delivery of community services. In the case of Community Welfare services, which is an area of special need in the case of Aborigines, the committee formed the impression that the Aboriginal community in our State views the present 'crisis intervention' approach to service delivery as being ineffective, uncaring and insignificant in terms of its impact on the resolution of Aboriginal problems.

On page 52, under 'Financial Arrangements', the report states:

The principal features of the health care model recommended by the committee are: an Aboriginal community-controlled health authority with State-wide responsibilities.

On page 56, the report states:

In South Australia the committee therefore believes that such major, fundamental differing philosophies need to be discussed at length and decided upon both locally by Aboriginal communities, and in the context of the Aboriginal Health Council. Existing education programs of the Aboriginal Health Organisation should continue in the short term, but its further development should be subject to review by communities and the Aboriginal Health Council when it is established.

Finally, the appendices of the report (pages 18, 19 and 20) state that Mr Foley took a particular look at the problems in the Port Augusta and Davenport areas. This will become increasingly relevant as this debate goes further. The report discusses the results of the Port Augusta/Davenport negotiations, as follows:

This agreement, indicated by the statements below, is the basis for resolution of the issues which have plagued the delivery of health care in the region. The Davenport council states:

'Davenport council see the need for a broader Health Service structure and the council should not be responsible for the overall health program in the broad Port Augusta area as at present.'

In addition, Davenport council proposes:

'A separate constituted, incorporated Management Board, with proportionate representation from Davenport/Bungala community and Port Augusta (should maybe include reps from areas presently using the service, for example, Hawker, Quorn, and so on). Representation to be based on needs/population criteria.'

The former AMS Subcommittee states:

'The Aboriginal Health Service of Port Augusta should be an incorporated body, managed by equal representation from both Davenport and Port Augusta communities ... such a service should be community controlled ... and would cover every area of health care.'

The Aboriginal Health Organisation staff state:

'The health care in Port Augusta should be community controlled, each tribe in Port Augusta to have a representative on the committee ... and that there should be more support and cooperation from all Aboriginal agencies in Port Augusta.'

The Aboriginal Medical Service staff state:

'Aboriginal health development in Port Augusta is poised to take off into a larger and extended role for various reasons. First, there are already in Port Augusta a collection of health resources involved in Aboriginal health care delivery. Secondly, Port Augusta by virtue of its geographical location and being a major centre for socio-cultural population movement of Aborigines of this State naturally becomes the ideal regional centre for Aboriginal health matters. The review should attempt to remove all manner of fragmentation in the Aboriginal health bodies in Port Augusta and envisage building up a unified Aboriginal health service in Port Augusta which would serve the Aboriginal population in Port Augusta and Davenport as well as act as a conduit for effective health care delivery to Aboriginal communities in the region.'

The last paragraph on page 20 has the following recommendation of the Foley committee:

That the PADAHS be controlled by a Board of Directors consisting of five representatives elected by Davenport Community Council, five representatives elected by the Port Augusta Aboriginal community and, for an interim period of 12 months, the board have an independent chairperson who is acceptable to both communities.

That Port Augusta material will become particularly relevant when I move on to discuss what is happening with WOMA and Pika Wiya.

I now refer to the Procter report, which was prepared by a committee comprising Ian Procter, Paul Hughes, Peter Buckskin, Sandra Saunders, Les Nayda, Margaret Hampton, Tim Aegis, John Moriarty and David Rathman, all well-known people in South Australia. I believe that the advice of such people would be taken seriously. I hope that the

Council is tolerant of my quoting these reports but, as the Government spent so much money on having these two expert committees making recommendations, I think the recommendations should be looked at in the light of what I wish to say. In particular, I draw attention first to the Procter report and appendix 1 at page 104. This report was established on 5 May 1986. I refer to one of the terms of reference, which has a great deal of relevance, as follows:

Propose appropriate organisational arrangements for health and welfare services (including staffing structures and rights and entitlements of existing workers) in the context of a proposed merger of the organisations presently involved in providing these services to the Aboriginal people of South Australia.

The committee was also charged to:

Liaise and consult with Aboriginal people, Aboriginal communities, Commonwealth/State task force and relevant Government departments and agencies in doing so.

This is another of the terms of reference:

Propose appropriate forms of community self-management, improved coordination and accountability for programs designed to secure a better provision of human services to Aboriginal people.

I now refer to the summary and recommendations on page 1 and the paragraph headed 'The committee's approach', as follows:

The committee has seen its task as being to examine the way in which services are provided rather than what is provided. That is, it is primarily concerned with the process not the content of human services delivery. In the committee's view improvements will be made in the quality of human services provided to Aboriginal people if the policy principles of consultation, community control and self-management are observed by State departments and agencies in the approach to service delivery and if their activities are effectively coordinated.

I now refer to page 2 where, under the heading 'Community self-management', the report states:

The committee was requested to 'propose appropriate forms of community self-management' of services. The committee has interpreted the term 'community self-management' in a broad sense. It has been taken to encompass the policy principles of consultation, community control and self-management, with the committee's task being one of assessing the present arrangements—both at system and local level—against those policy principles.

I now refer to the following recommendation on page 6 of the report:

We recommend that the Aboriginal health and welfare services presently administered through the Aboriginal Health Organisation and the Aboriginal Coordinating Unit be progressively coalesced as described in this report.

The committee foresaw changes to the Aboriginal Health Organisation. I now refer to the three following paragraphs on page 23, as follows:

Consultation: it is essential that Aboriginal people, communitiues and organisations are properly informed about Government policies and programs, and know what opportunities are available to them and what their options are, as it is only in this way that they can gain effective control of their own affairs and of basic services such as health, education and housing . . .

Aboriginal Community Control: the Aboriginal control issue may also be approached directly through provision in the policy for the transfer to Aboriginal community control of some programs currently provided through State Governments . . .

Aboriginal Self-Management: is related to skills development through training programs and through public sector employment for Aborigines with the objective of increasing Aboriginal involvement as consumers and providers in the development of policies and in the design, delivery and evaluation of programs and services . . .

Once again, it is pushing very strongly for the consultation, community control and self-planning concepts. I have only a few more quotes to go. The next quotes deal with the Aboriginal Health Organisation, which I will be addressing in depth. The report, at page 38, states:

The Aboriginal Health Organisation (AHO) was established in 1981 as an incorporated health unit under the South Australian Health Commission Act. It has a board of management of 10 Aboriginal representatives who are nominated by Aboriginal communities across South Australia and then appointed by the Minister for a three-year term. The board meets regularly in Aboriginal communities across the State.

The board's role is one of providing the Minister of Health and the South Australian Health Commission with advice on Aboriginal health issues, of managing the resources of the AHO and of administering the programs and services of the AHO. The AHO is responsible to the Minister of Health through the Western Sector of the Health Commission which provides administrative support to the organisation. It is funded jointly by the Commonwealth and State Governments.

In fact, I believe that the Commonwealth supplies about 70 per cent and the State Government about 30 per cent of the funding. The report continues:

The role of the AHO has changed markedly in the years since its establishment. In late 1981 a review was initiated of the health services provided to the Aboriginal people in the Pitjantjatjara lands. The ultimate outcome of that review was the establishment in December 1983 of the Nganampa Health Service [another key player in this debate], the largest local Aboriginal controlled health service in South Australia. Immediately prior to this in November 1983 the Minister of Health established a Review of Aboriginal Health Services across the State. The report of that review was completed in May 1984. The Foley report's central theme was that of Aboriginal control at all levels of the health services provided to Aboriginal people with devolution of service delivery to the local level to the maximum practicable extent.

In terms of the type of service provided, the Foley report marked the extention of the provision of clinical health care through Aboriginal controlled health services to those communities other than Adelaide and, more recently, the Pitjantjatjara lands where to that time the AHO had directly provided only a limited clinical service and preventative health care.

In 1987 there are Aboriginal Health Services established in Port Augusta (Pika Wiya), Ceduna (Ceduna/Koonibba), Yalata/Oak Valley (Yalata/Maralinga) and Oodnadatta. An AHS is planned for Coober Pedy and possibly Whyalla. In some cases the AHSs are, or will be, incorporated health units under the South Australian Health Commission Act. The funding arrangements for the AHSs vary but substantial levels of both Commonwealth and State funds are involved overall. The Aboriginal Medical Service in Adelaide has, of course, been in existence for some years with direct financial assistance from the Commonwealth Government. The process of establishment of the AHSs has involved the transfer of resources including Aboriginal health worker positions from the AHO.

The Foley report recommended the establishment of a broad based Aboriginal Health Services Council. This would be comprised of representatives of the AHSs across the State, the AHO and of other health-related service providers.

Clearly, the report is seeing a changing role in Aboriginal health services, the setting up of new community controlled service and a changing role for the AHO. At page 39 the report states:

The role envisaged for the AHO in the Foley report was one of being primarily a resource/support organisation for locally controlled AHSs. In general terms this is the role of the AHO in 1987.

The committee is saying that the AHO has done what the Foley report recommended. The report continues:

The principal features of its role are education and training, research and planning, direct community health service delivery in communities that do not have an AHS, and policy and planning advice to the Minister of Health and South Australian Health Commission on Aboriginal health issues.

On page 61 of the report there is a brief paragraph which I think may be the key to some of the problems in this area. It states:

The committee became aware of tensions arising in the past 12 months in the working relationships between the three—the AHO, the SAHC and some of the local health service providers. These have been of two kinds, though they are related. First, there have been perceptions by some AHSs that the proper balance was not being observed in the relationship with the AHO and that local sovereignty was being infringed. Secondly, the committee has the impression that an element of competition has developed in the relationship between the AHO and the Western Sector of the Health Commission.

I bring that to members' attention. A special point is made of the suggestion that there seems to be some tension between AHO and the Western Sector of the Health Commission. I think the Minister should at some time have a good look at the Western Sector, and what I will have to say later may encourage him to look more carefully at it.

The Hon. M.B. Cameron interjecting:

The Hon. M.J. ELLIOTT: There was a Western Sector. The key players still exist even if the names of sections have changed.

The Hon. M.B. Cameron interjecting:

The Hon. M.J. ELLIOTT: If you cannot add one and one and get two, it is not my fault. The final paragraph that I wish to quote is on page 94, and is as follows:

> First, we have noted the beginnings of regular meetings between the AHO and other health service providers. The committee considers that these links should be formalised and extended, in the context of coalescence, to community based welfare organisations. In effect, the recommendations of the Foley report on an Aboriginal Health Services Council would find expression in the establishment of an Aboriginal Health and Welfare Services Council. We propose that ACCA be represented on the council.

I have quoted extensively from those reports but, as both those reports involve people sitting for a considerable amount of time I am sure that they can say far better than I, and certainly in better language, what are the important issues.

I would now like to address specific issues. The first awareness that I had that there were specific problems in Aboriginal health services generally, other than the sorts of reports that one sees about petrol sniffing and other matters in the papers, occurred about 12 months ago when I was in Port Augusta on other business. I stopped to talk with a group of about 20 Aborigines and discussed with them the dry areas legislation which at that time was highly contentious. That group of Aborigines raised the problems which were occurring between WOMA and Pika Wiya. I found it interesting that the whole group was deeply concerned about what was happening to WOMA and the fact that nobody seemed to care. Having made a few inquiries, I found that there was a great deal to the issue.

The WOMA society in Port Augusta was involved initially in helping people with alcohol problems, but its role in Port Augusta had expanded beyond that to the stage where it was often the first port of call for Aborigines who came into Port Augusta. People with any kinds of social problems often found that the WOMA society was able to help them. In fact, I believe the DCW used WOMA quite regularly to help it with problems that it had encountered. So, WOMA was a respected body in Port Augusta. In terms of material resources it had a half-way house, a night shelter and a rehabilitation farm at Baroota, which is about half-way between Port Augusta and Port Pirie in the foothills of the ranges.

The WOMA society had massive material resources but it had been defunded; the plug had been pulled. Having been defunded, although it had the resources WOMA had no staff. The Government decided that it wanted WOMA to incorporate and become part of the Pika Wiya health service. Pika Wiya was at that time involved in the provision of medical services. It had two clinics: one in the city of Port Augusta and one at Davenport. It also had offices in Port Augusta. The Minister decided that coalescence needed to go a step further, and all the welfare type services that were provided by WOMA could best be provided by Pika Wiya. He and his commission—

The Hon. J.R. Cornwall: They were wasting $360 000 a year at their peak. They had one Aborigine who fell on the waggon in 10 years and wasted taxpayers' funds.

The Hon. M.J. ELLIOTT: The Minister wished to cast aspersions upon the WOMA society, which was for quite some time headed by Mr David Vorst, with, I think, Mr Garnett Brady—I am not sure if that is his name—as his second in command. Those two persons are now in charge at Pika Wiya. So, for much of the existence of WOMA the people who are now running Pika Wiya were in charge of WOMA. If WOMA was so disastrous, why is the Minister so hopeful that Pika Wiya will be so wonderful? The same people are at the head of both organisations. I cannot understand his great confidence that the same people operating under a different name will do better. I am not saying that they did a bad job; in fact, I have been shown quite a deal of data about the number of people with whom they had worked. The WOMA society never claimed miracles, but I do not think anyone who works with alcoholics claims many miracles; one dries alcoholics out.

The Hon. J.R. Cornwall: Have you talked to the people at Murray Bridge and asked them what they think of WOMA at Port Augusta? Have you ever taken the opportunity to talk to the Aboriginal people at Murray Bridge?

The Hon. M.J. ELLIOTT: Yes.

The Hon. J.R. Cornwall: Did you ask those people what they thought about WOMA at Port Augusta?

The Hon. M.B. Cameron: I thought you were talking to one today, but I might be wrong.

The Hon. M.J. ELLIOTT: I thought so. I took particular affront at two things that the Minister or the commission had done. One was the defunding of WOMA so that it had no choice but to incorporate with Pika Wiya; there was no opportunity to gradually work things through.

The Hon. M.B. Cameron interjecting:

The Hon. M.J. ELLIOTT: That is right. They were going to be beaten to a pulp. Secondly, when Pika Wiya, which I believe provides a good health service (I am not critical of Pika Wiya), was first incorporated, the constitution clearly said that the board shall be elected.

The Hon. M.B. Cameron: By the community.

The Hon. M.J. ELLIOTT: By the community. In fact Gary Foley and his committee, the Davenport council, the Port Augusta people, the AHO, etc., all recommended that they be elected. The first board was nominated, but I believe that one week before the next election was due the Minister signed a piece of paper which stated that the board no longer needed to be elected but that it would continue to be nominated. I now see that the Minister has a very interesting idea of what community control means. It means to the Minister that the people from the community whom he wants to run the service will control it. He does not trust elections. I wonder whether he has the same trust in elections when it comes to putting State Governments in power. If you do not trust people at this level, at what level do you start to trust them?

The Minister changed that constitution purely for his own convenience and went quite clearly against the report which was tabled for him and which involved a great deal of work by a large number of people who had done a great deal of consultation. The Minister did his own consultation and obtained his own advice, and I think he should look at who gave him that advice. As I said, he can do his sums as to where the problems lie. Who was giving him this advice? He said to me that in fact it was not his idea to do it—that he simply had the paper to sign. That is a direct quote.

The Hon. J.R. Cornwall: Who did?

The Hon. M.J. ELLIOTT: You did; you told me that. You said that it was not your idea that the constitution should be changed, but that this document was in your bag one night.

The Hon. J.R. Cornwall: They requested it.

An honourable member: Who?

The Hon. J.R. Cornwall: The Pika Wiya people.

The Hon. M.J. ELLIOTT: But the Minister nominated them, and they wanted to stay there. They said 'You keep on nominating us; that's a good idea, don't you think?' He said, 'You haven't given me too much trouble for the past two years; I think it is a good idea.' If it was not for that community control issue, I probably would not have bought into this whole matter to start with, but I think that it is an absolutely appalling state of affairs.

I realise that there was a need for amalgamation of those two services—I do not think anybody is saying that they should not amalgamate; the question is under what conditions they should do so. I told the Minister that I believed that reconciliation was possible. He basically said, 'Best of luck. Go up and see if you can.' I sat in at a meeting of WOMA and Pika Wiya representatives. Unfortunately, Mr Vorst exempted himself from that meeting as he felt it would be better if he was not there. However, every other key player was there, as well as observers from Aboriginal health organisation and the Minister's department. At the end of that meeting I felt that the result was in no doubt and that the amalgamation would occur. However, what happened that day was undermined.

The Minister's advice to the commission was that it was all caused by the terrible WOMA people. However, his advice came from the same person as it came from all along, so reports to the Minister were slanted in relation to what was agreed that day. I will not give details of the agreement, but I can assure members that the Minister got a message that had been slightly changed. Press releases emerged quickly from the Pika Wiya office, claiming that certain things were about to happen. That office issues marvellous press releases and manipulates the Port Augusta press extremely well. That happened at that time. Other press releases were issued while negotiations were proceeding, and they were all used to undermine the agreed position.

A member of the WOMA board died in the period immediately after negotiations so it was a fairly sensitive time. While that was going on there was a deal of confrontation, which once again was partly initiated by a person or persons from Pika Wiya. Vehicles that were being used were suddenly withdrawn; this was a senseless act because those vehicles were to return to Pika Wiya in the amalgamation, anyway. One staff member was making sure that the WOMA farm was not vandalised, and he and another person working in the night shelter were withdrawn. They were provocative acts. The action was quite senseless. The two groups were about to merge yet those and other niggling things happened.

A couple of other things occurred to which I will not allude because I believe a court action is pending. There was provocation, but not solely from the WOMA side. That was very sad. We now see them struggling along there. I think that a resolution will eventually be reached, but will we see implemented the control that has been advocated by Foley and other people who care about Aboriginal health services? A large number of small Aboriginal health bodies have been defunded. In this respect, I refer to WOMA at Port Lincoln, Ceduna, Yalata and at several other places in the northern and western regions.

The Hon. J.R. Cornwall: Who funded them?

The Hon. M.J. ELLIOTT: State and Federal Governments.

The Hon. J.R. Cornwall: Not the State Government—it has never funded WOMA. You are a very ignorant fellow—not one penny piece has ever gone into WOMA from the State Government.

The Hon. M.J. ELLIOTT: I need to make clear (and I have not done so at this stage) that there has been a very close liaison between the Health Commission and officers of the DAA.

The Hon. J.R. Cornwall: The current Regional Director is the best thing to happen to Aboriginal services in this State.

The Hon. M.J. ELLIOTT: I have not named anyone. There certainly has been a close liaison, and an agreement has been forged between the Health Commission and the DAA that the withdrawn funds be immediately given to another body that is operated by the Health Commission. So, the Health Minister does not have to withdraw funding personally. However, he can arrange for the money to be withdrawn and put into something that he operates.

The Hon. J.R. Cornwall interjecting:

The Hon. M.J. ELLIOTT: The effect is exactly the same. Will the Minister tell us during his reply to this debate the cost of the three guards who were in Port Augusta for one or two weeks?

I will now address the matter of the Nganampa health organisation. The Hon. Mr Cameron might have something further to say about this matter later, as he has done a great deal more work in the Far North West than I have. In a report which appeared in the *Times on Sunday* last Sunday the Minister had occasion to attack two health bodies when he made a number of serious allegations about the Nganampa health service and the Aboriginal Health Organisation. He said that the Nganampa health service was established in 1983 to set up health services for South Australia's 2 000 Pitjantjatjara people. There are 16 people employed in the head office in Alice Springs run by American Grendle Schraeder. Government sources said that most of the funding was spent on wages, vehicles and the council's light aircraft. When talking of Nganampa and the AHA the Minister alleged that most of the time staff members sat in their offices and did nothing useful at all.

I am informed that, although the Minister claims that Nganampa health service funding increased by 30.4 per cent, they have effectively lost a total of $628 000 in recurrent expenses in the past two years. This represents a cut of the order of 13 per cent in the past 12 months, not an increase. We must take into account that the Australian Bureau of Statistics says that inflation has run at 9.3 per cent during that period. Wages make up a considerable part of expenditure—in fact about 60 per cent—half of which goes to Aboriginal workers and half to non-Aboriginal workers. Would that sort of wage bill be unusual for any health

service? I would like to see what it is for the Health Commission generally.

The Hon. J.R. Cornwall: For any health service.

The Hon. M.J. ELLIOTT: Particularly where it is a health service—

Members interjecting:

The Hon. M.J. ELLIOTT: It is not providing *in vitro* fertilisation, or any of those services up there, either. According to the report in the *Times on Sunday*, the Minister raised the matters of the cost of vehicles and aircraft expenses. I remind members that we are talking about an area that is one-tenth of the entire State. Vehicles there took up 4 per cent of recurrent expenditure and the aircraft, which is used for patient transport, took up 3 per cent of recurrent expenditure. After reading that article, one could be excused for thinking that the Minister was running a flying school or perhaps making a minor venture into tourism.

I move now to further cost savings as a result of efficient and effective management. In the past 12 months Nganampa decreased hospital transfers—that is, moving people from the Pitjantjatjara lands to Alice Springs Hospital or the Adelaide Hospital—by 23 per cent, from 1 300 people in 1986 to 1 000 in 1986-87. Because of this, savings achieved for the Alice Springs Hospital alone were of the order of $300 000.

The Minister is again quoted as saying that there are 16 people employed by Nganampa in Alice Springs. I presume that they were also just sitting around. Let me give you the correct numbers. There are three people who 'sit around' in Alice Springs, one of whom spends about one-third of his time in the Pitjantjatjara lands; 4.5 positions involve workers in the Pitjantjatjara lands and they are involved in service delivery; 1.5 positions relate to Health care workers in Alice Springs Hospital, and there are four trainees who are not paid by Nganampa. That gives a total of nine positions, three of whom spend most of their time in Alice Springs. If you add the unpaid trainees, that still provides only 13 (where the Minister obtained his figure of 16 is unknown). It may be appropriate to point out that Nganampa figures (accounting staff, etc.) are all public. They have been audited and validated.

The Hon. J.R. Cornwall: There is an audit going on at the moment, my son—

The Hon. M.J. ELLIOTT: Yes, I know about your audits. Let me again suggest that the motivation behind the Minister's actions is obviously to reduce spending drastically and to remove any person or body which may provide a conscience on Aboriginal matters.

If one considers these facts in that light, one sees that it all makes more sense. There are further intransigent actions related to the payment of pharmaceutical benefits and the Isolated Patients Transport Assistance Scheme. These reimbursements must be spent before further allocation of operating expenses from the DAA. This creates an extremely difficult cash flow situation. There was a written agreement, which has been acted upon, stating that neither the DAA nor the South Australian Government would withdraw funding from Nganampa without giving one year's notice. The Minister recently suggested that this was not a legal document and need not be adhered to.

I refer now to the maintenance of capital assets. There is insufficient funding to maintain the capital assets of Nganampa of $6 million. The Department of Housing and Construction, as a matter of course, attends to Education Department housing, but this same facility is not available to Nganampa. It is allowed 1½ salaries and a very small amount for maintenance.

The South Australian Health Commission funding increased in the first full year by 6 per cent but inflation ran at 8.4 per cent, so effectively there was a decrease. In the last year (the second year) the grant increased by 2.8 per cent and inflation ran at 9.3 per cent, so again there was an effective decrease in the two years the South Australian Health Commission has been involved. Perhaps it would be appropriate to mention that Nganampa took over the Pitjantjatjara Homelands Service last year. I understand that its operating budget was $347 000. No extra allowance was made by the South Australian Health Commission or the DAA for the extra cost to Nganampa of including that service. Money is being saved hand over fist.

The Hon. M.B. Cameron: They said, 'There's the service, thanks for the money, and you fix it.'

The Hon. M.J. ELLIOTT: That is right. The allocation was cut by about 13 per cent in real terms and they were given the health service which cost another $347 000 to operate. We can also look at what has happened at Mintabie, where the South Australian Health Commission in its confrontationist mode entered into discussions with the Uniting Church to establish a health service. There has been no consultation with Anangu Pitjantjatjaraku or Nganampa. Mintabie is on the Pitjantjatjara lands and somehow the South Australian Health Commission is exempt from the normal requirements of obtaining permission to enter and establish a new organisation on Pitjantjatjara lands. At present, the Minister, conveniently, is able to blame the AHO, Nganampa, various key power hungry people, and who knows who else?

The Hon. M.B. Cameron: Everyone but himself and people in the Health Commission.

The Hon. M.J. ELLIOTT: That is exactly correct. The last organisation to which I refer is the AHO itself. The AHO was mentioned in both the Foley and Procter reports in some detail. A letter was sent to the Chairperson of the AHO on 31 July this year by Mr Sayers, the Acting Chairman, who stated:

> As a result of the implementation of certain recommendations of the Foley Report into Aboriginal Health Services in SA, the role of the Aboriginal Health Organisation of SA has been affected. In particular, the emphasis on service delivery has been reduced and training, research and policy development roles have been revised. In view of this changing emphasis in the functions of your organisation, it has been determined that it is now appropriate to review the existing management structure and processes and that this review be conducted under the auspices of the Commissioner for Public Employment through the Department of Personnel and Industrial Relations. This correspondence, therefore, is to inform you that this decision to conduct a review has been taken and to indicate that an officer of the Department will be in contact with you in the near future.

That is an interesting letter in light of recommendations made about how the AHO should change. Those recommendations were made in the Foley report. The Procter report noted that those changes had been occurring. In June this year the AHO wrote to the Minister telling him that it was aware that further changes needed to occur. This letter emerged saying that there was about to be a review. I believe that a person from the DPI met with officers from the AHO on one occasion. As far as people know, that was the review; they have not seen any other review. One visit from a DPI officer is a review. The AHO invited the Minister to launch a renal survey on 17 September, and he made interesting comments in relation to the AHO. At page 8 of the speech that was handed out, the Minister stated:

> At my request, the Department of Personnel and Industrial Relations is conducting a review of the existing management structure and processes so that we can make informed decisions. In this and in many other areas we are working closely and constructively with the Department of Aboriginal Affairs.

They work very closely and constructively with that department! He said on 17 September that a review was being conducted. There was a letter of 31 July. It was stated that a review was being conducted and that there had been one visit. The Minister further said:

> Following the report by the Department of Personnel and Industrial Relations, we will canvass options for the dismantling of the Aboriginal Health Organisation and a re-allocation of staff and resources in the light of the changes which have taken place over the past five years.

I wonder what sort of review it is. No-one is seen to be carrying out a review, but the results of the review are beyond doubt. We have seen two reports which made very definite suggestions about what must happen. Who needs a review from an officer who is buried inside the DPI? One is forced to believe, in fact—

The Hon. M.B. Cameron: It sounds like Kalyra revisited.

The Hon. M.J. ELLIOTT: Yes, it sounds awfully like Kalyra revisited, and like the situation involving a number of bodies that have been reviewed lately. On the slightest pretence (and I am not sure what the pretence will be this time) the AHO will be defunded, and there will be a sorting out.

The Hon. J.R. Cornwall: What is the DPI? I think you have got it wrong.

The Hon. M.J. ELLIOTT: It is the Department of Personnel and Industrial Relations.

The Hon. J.R. Cornwall interjecting:

The Hon. M.J. ELLIOTT: My humble apologies to the Minister. I thank him for correcting me. The review acts in the same way. It does not change the substance of the allegations. No-one is saying there is not a need for a change in Aboriginal health services; what we are arguing about today is the way in which it is done. Consultation is an absolute farce. Officers in the Health Commission and the Minister himself are making decisions. Consultation has really gone out the door. We should be basing what we are doing in this State in part on two excellent reports from the Foley committee and the Procter committee. Indeed, I do not see that happening. It appears more likely that we will have an outright attack on the various Aboriginal organisations for one reason or another. The AHO has already been praised in several reports. There has been no question at any time that the AHO has been doing a bad job. In fact, an intersting quote from Dr William McCoy in a statement to the AHO on 30 September 1987—

The Hon. R.I. Lucas: Is he the Chairman of the Health Commission?

The Hon. M.J. ELLIOTT: Yes, the same fellow. Regarding the decision to dissolve the AHO, he noted that:

> No member of staff of AHO has been derelict in their duties and the board has done excellent things.

In the *Times on Sunday* article, which really was set up to try to stifle the debate that the Minister anticipated would come out last week—

The Hon. J.R. Cornwall interjecting:

The Hon. M.J. ELLIOTT: The Minister can certainly put out information through his media resources, and that is one of the advantages of being in government. He can churn out a great deal of waffle, which people believe.

The Hon. M.B. Cameron: It was a vicious article on unnamed people.

The Hon. M.J. ELLIOTT: That is the way it often happens. The Minister said in that article:

> The time has come where we don't need 26 people sitting in an office in Adelaide outside the mainstream of health delivery services.

There are several clear errors in that statement. First, 26 was the 1986 figure for those employed in the AHO, but at present there are 16 employees plus five health workers in Adelaide. Of those 21 people, all but seven are involved in research or service delivery. Those seven people are administrative staff who do sit around in Adelaide behind typewriters and desks doing what Dr McCoy has noted as an excellent job. I seek leave to table a document that itemises the staff of the Aboriginal Health Organisation and their allocated duties.

The Hon. J.R. Cornwall: I would want more detail before I granted leave. Who prepared the document?

The PRESIDENT: The honourable member was seeking leave to table the document not to incorporate it in *Hansard.*

The Hon. J.R. Cornwall: I realise that.

The Hon. M.J. ELLIOTT: The Minister will have a chance to look at it and rebut it if he feels it is of doubtful origin.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. Cornwall: I want to know more details. Who is the author of the document?

The Hon. M.B. Cameron: Read it into *Hansard*!

The PRESIDENT: Order!

The Hon. M.J. ELLIOTT: It does not have an author's name on it, but it is information that you are in a position to rebut just as if I read the whole thing in.

The PRESIDENT: Are you seeking leave to table that document?

The Hon. M.J. ELLIOTT: I have done that on a couple of occasions, I think.

The PRESIDENT: Is leave granted? Leave is granted.

Leave granted.

The Hon. M.J. ELLIOTT: My concern with the Aboriginal Health Organisation is that it has been set up—as Nganampa is about to be set up and as Woma and other organisations have been set up—in collusion between the Health Commission and the DAA. I am very much aware that the DAA at the Federal level is gravely concerned about what is happening in South Australia, as are many people in the Aboriginal community. I ask the Minister to seriously reconsider the direction he has taken and to take a direction along the lines of the reports, which are excellent reports, and let us look towards Aboriginal community controlled organisations supplying the health services in South Australia, and have no more of the sort of nonsense that we have had over the past two years or so.

The Hon. J.R. CORNWALL (Minister of Health): The motion put forward by Mr Elliott is totally inaccurate in every significant respect. It refers to the 'current policy of the Health Minister to defund independent Aboriginal health bodies and to then absorb their activities into the Health Commission'. There is, of course, no such policy. Once again Mr Elliott seeks to mislead the Council. Undeterred by the facts and impervious to the truth, as seems to be his standard *modus operandi*, he puts forward a case which charitable critics would say reflects his staggering naivety and realistic observers would say demonstrates his capacity for deliberate distortion.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: At least he is consistent. On a previous occasion I detailed Mr Elliott's actions in perverting the truth regarding a Children's Court case. His behaviour smacked of the irresponsible and dishonourable style of the Liberal Party rather than the caring, reasonable position claimed by the Party which says it wants to 'keep the bastards honest'.

Mr Elliott tries to portray himself as an honest broker, as someone who seeks to ensure fair play. The fact is, however, that he is ready to peddle rumour, scuttlebutt and falsehoods to get a cheap headline. His success in achieving media coverage, though limited is, unfortunately, enough to keep him satisfied. Like the Opposition, he does not seem to learn that phoney complaints and unfounded attacks on public servants actually damage their political cause. I addressed some of the major Aboriginal health problems facing Governments and communities when I launched the findings of a major renal study at the Aboriginal Health Organisation's office in Norwood on 17 September to which Mr Elliott referred.

The Hon. M.B. Cameron: That's when you called them urban guerillas.

The Hon. J.R. CORNWALL: Yes. That was one occasion on which I referred to them as urban guerillas, and I have determined that we will put a stop to—

The Hon. M.J. Elliott: Does 'urban guerilla' mean disagreeing with you sometimes?

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: No, it means sabotaging initiatives aimed at significantly improving services to 13 000 or 14 000 Aborigines in this State. Half a dozen determined people are doing their best to wreck that because they are using their cells, their power bases, like the AHO, and that will not be allowed to continue. The State Government provided $30 000 in funding for the renal survey because of deep concern over the appalling health status of Aborigines in South Australia. The report argues that what it describes as the 'deplorable state of health' revealed by the survey has its roots in the disadvantages long experienced by Aboriginal communities. We cannot combat this state of affairs without addressing the vital issue of the effectiveness of health care and general services being provided to Aboriginal communities generally.

One of our major aims has been to empower Aboriginal communities to conduct their own health services. We have worked to bring about community control of health services. One has to ask: what do we mean by this? How do we define 'community control'? In practice, I submit, and I have consistently been submitting this now for a number of months, that community control was intended to mean the operation of a health service by an Aboriginal community in a way that reflects the needs and wishes of that community. Instead, too often the reality has been 'control of communities'. I make no apology for challenging the myth of community control where the interests of the Aboriginal communities have been submerged and overtaken by the machinations of power brokers.

Where communities have been manipulated by an individual or a small group busily pursuing private goals, it is time to call a halt. We can point to communities with desperately poor health status where the people continue to suffer despite the considerable resources allocated to improve services and lift their health status. Those people, I believe, are entitled to demand to know why their services are substandard and why they are not enjoying better health. For their sake—and for their children's sake—we have to challenge, to devise new approaches, and to find more effective ways to empower the communities.

Against this background it is cynical and silly of Mr Elliott to talk about a Minister's policy to defund independent services and absorb their activities into the Health Commission. I have already put on the record my appreciation of the fine work done by the Pika Wiya Health Service in Port Augusta, which has been providing curative services and, increasingly, preventive services to Aboriginal communities in Port Augusta, Davenport and smaller communities situated in the Flinders Ranges since 1984. The Ceduna-Koonibba Health Service is another which has demonstrated that Aboriginal organisations operating under the direction of boards of Aboriginal members can be effective and responsive to the needs of their local communities. Both these services operate as incorporated health units under the South Australian Health Commission Act, drawing upon the expertise of the South Australian Health Commission for any support that they need. Their success should not be obscured by the problems which plague other services. Instead it should be highlighted to show that such services can work in the best interests of their communities.

The Aboriginal Health Organisation is, of course, a major consumer of resources provided by the State and Commonwealth Governments. It has a $1.6 million budget and a central staff of more than 25 people. Over the past four years, following implementation of major recommendations of the Foley report on Aboriginal health services in South Australia, the AHO's role has altered significantly. Because of that changing role and growing conern for health problems within the Aboriginal community of South Australia, we sought the assistance of the Department of Personnel and Industrial Relations to review the management structures and processes of AHO. A clear and recurrent theme of the discussions that took place under that review is the high level of emotion, disagreement and competition for resources amongst those engaged in Aboriginal health, which Mr Elliott and Mr Cameron seek to foster. The alarming and destructive effect on the coordination and improvement of service delivery is significant. AHO, which is now minimally involved in service delivery, has proved unable to promote unity and a coordinated approach to problem solving. There is little evidence of influence on policy formulation and there are management deficiencies.

It should be obvious to members that neither the Commonwealth nor the State Government can sit back and allow taxpayer funds to be utilised ineffectively. In my speech launching the renal survey report I made clear that, following the report by the Department of Personnel and Industrial Relations, we would canvass options for the dismantling of AHO and a re-allocation of staff and resources in the light of the changes which have taken place over the past five years.

That process, which directly involves the Chairman of the Health Commission, Dr Bill McCoy, is now under way. As I stressed in the Norwood speech, the thrust of the reallocation will be very much on the delivery of health services to Aborigines. In addition, I have made a public commitment to placing an Aboriginal representative on the executive of the Health Commission. This will provide far more effective representation for Aborigines in the highest decision-making forum of the commission than sitting in an outpost at Norwood performing a role which is outmoded and ineffective. AHO employees will be posted to the field where they can be directly involved in service delivery or in key areas of the commission such as policy and program development and statewide services.

To characterise this process as defunding independent bodies so their activities can be 'absorbed' is simplistic, opportunistic, mischievous and unhelpful. The fact is that we do have some successful models for service delivery. By their own account major organisations such as Nganampa Health Service are presiding over health disasters. By some peculiar feat of logic they believe it furthers their interests to project horror stories about massive health problems and use the hue and cry to demand more funding from Governments. I have been at pains to disabuse them. Our job

is not to perpetuate failures, mismanagement, maladministration or incompetence. It is to identify problems, make dispassionate appraisals and devise solutions. Where we have successful models we should build upon them. We have to be flexible and we have to be innovative.

It is an insult to the intelligence of the people of South Australia to suggest they cannot understand the commonsense of this approach. It is now mandatory that we recognise that we have made mistakes. We can and do demand improvements on behalf of those in need. We are working very closely and constructively with the Commonwealth Department of Aboriginal Affairs. We do not believe the problems are insuperable and we refuse to accept the proposition that ill health is the inevitable fate of Aborigines. We are determined to lift the health status of the communities through better co-ordinated and improved services which emphasise preventive health measures as well as curative services. For all this I make no apology.

The Hon. M.B. CAMERON secured the adjournment of the debate.

SOUTH AUSTRALIAN TIMBER CORPORATION

Adjourned debate on motion of Hon. L.H. Davis:

1. That a Select Committee be appointed to inquire into and report on the effectiveness and efficiency of operations of the South Australian Timber Corporation with particular reference to the corporation's—
   (a) 70 per cent interest in International Panel and Lumber (Australia) Pty Ltd;
   (b) production distribution and marketing policies and practice;
   (c) current financial position;
   (d) relationship with Woods and Forests Department.
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 7 October. Page 1007.)

The Hon. J.R. CORNWALL (Minister of Health): I move:

That this debate be further adjourned.

The Council divided on the motion:

Ayes (11)—The Hons. G.L. Bruce, J.R. Cornwall (teller), T. Crothers, M.J. Elliott, M.S. Feleppa, I. Gilfillan, Carolyn Pickles, T.G. Roberts, C.J. Sumner, G. Weatherill, and Barbara Wiese.

Noes (10)—The Hons. J.C. Burdett, M.B. Cameron (teller), L.H. Davis, Peter Dunn, K.T. Griffin, C.M. Hill, J.C. Irwin, Diana Laidlaw, R.I.Lucas, and R.J. Ritson.

Majority of 1 for the Ayes.

Motion thus carried.

TOBACCO ADVERTISING (PROHIBITION) BILL

Adjourned debate on second reading.

(Continued from 9 September. Page 780).

The Hon. J.R. CORNWALL (Minister of Health): I do not wish to speak at length on this Bill, Ms President. The Government has given some consideration to its provisions. Obviously, the Government supports the general spirit and intent behind the legislation—it would be an irresponsible Government indeed which ignored the fact that smoking prematurely kills some 20 000 Australians every year, or that it costs Australia more than $2.5 billion each year—and that is a conservative estimate of the economic cost of smoking induced illness.

Similarly, to ignore or to trivialise the effect which the images of advertising and sponsorship have on inducement of people, particularly young people, into a health-threatening and, indeed, life-threatening habit is to show a reckless disregard for the health of South Australians. The Government does not intend to stand on the sidelines while our young people are bombarded with images of style, sophistication and social success. The stakes in that game are too high; we are talking about the lives of our young people—lives that are too good to waste.

The Government has formally adopted the principle of the phasing out of tobacco sponsorship and the replacement of current grants to sporting and cultural organisations beginning in 1988. Some international sporting events will be exempted. Restrictions on advertising will also be considered, but there will be no ban on print advertising. The Government will not be supporting the Bill currently before the Council. We do not see that Bill as the most appropriate vehicle for implementation of our strategy.

Details of the procedures and mechanisms to implement our strategy will be contained in Government legislation to be introduced in 1988. I give an undertaking on behalf of the Government that under our strategy there will be no need for employees in the advertising industry to fear loss of employment, nor will current recipients of sponsorship be financially disadvantaged. The administrative and legislative package will ensure that all sporting and cultural organisations which currently receive tobacco sponsorship will have on-going sponsorship, at least at their current level of support, guaranteed. The Government opposes the Bill.

The Hon. M.J. ELLIOTT secured the adjournment of the debate.

CHRISTIES BEACH WOMEN'S SHELTER

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

That this Council condemns the Minister of Health for his preemptory and destructive action, by his defunding of the Christies Beach Women's Shelter.

(Continued from 14 October. Page 1139.)

The Hon. J.R. CORNWALL (Minister of Health): The decision to defund the Christies Beach Women's Shelter was announced in a ministerial statement to the Legislative Council on 11 August 1987. As Minister, I acted in concert with the Commonwealth Minister, Senator Ryan, upon the recommendation of a review committee which investigated the management and administration of women's shelters in South Australia. That committee was headed by Ms Judith Roberts and assisted by an independent consultant, Ms Harrison Anderson. Other members were Rosemary Wighton (Deputy Director-General of the Department for Community Welfare), Colleen Johnson (Executive Director of Statewide Services in the South Australian Health Commission), Robyn King (Senior Assistant Director of the Commonwealth Department of Community Services in South Australia), and Judith Blake (Executive Officer of the YWCA, Whyalla, and Administrator of the Whyalla shelter).

As I told the Council in August, the committee recommended funding of the Christies Beach Women's Shelter be withdrawn 'in view of the maladministration, both historic and current, of this shelter and in view of uncertainty as to

whether services to clients are both fully available and appropriate'. My ministerial statement also indicated that a number of unsubstantiated serious allegations of professional and personal misbehaviour had been referred to the Commissioner of Police and the Commissioner of Corporate Affairs for investigation.

In public statements subsequently, some staff or management committee members of the Christies Beach Women's Shelter have attempted to focus attention on these allegations, some of which go back three years. They have argued that the decision to defund pre-empts the investigations by the police and Corporate Affairs. This is a classical strategy of obfuscation. These persons—aided and abetted by Mr Elliott's campaign of deceit and distortion—deliberately ignore the work of the review committee whose recommendation to defund was based on the maladministration, 'both historic and current' (to use their words) of the shelter, together with uncertainty about services to clients.

At page 75 of its report, the committee said the shelter's management had been 'characterised by persistent overspending and ineffective control of personnel and resources'. On the same page it says examination of the financial records showed a consistent pattern of over-spending regardless of the available funds. After one departmental visit, the finance officer reported:

> We have the impression that whatever they need they just go out and purchase with no consideration of the funds available.

Members should appreciate that these descriptions relate to public funds. These funds were being handled and managed by persons who were required to sign an agreement guaranteeing accountability. The signing was stipulated by the Commonwealth as a condition of funding, a condition in which the S.A. Government concurred. Although all other shelters signed the agreement, the Christies Beach Women's Shelter consistently and wilfully refused to sign.

Mr Elliott now brings into the Council the claim that the agreement was signed on 24 July 1987. 'There is no indication it has not been signed,' he said on 7 October, adding that he did not believe that there was ever 'any suggestion that the Christies Beach Women's Shelter would not sign it . . .' The fact is, Ms President, that the shelter had been placed on fortnightly funding late in 1986—that is last year—precisely because of the persistent refusal to accept accountability and sign the agreement.

Furthermore, when the Christies Beach Women's Shelter did append signatures to the document in July (after the review committee's report), the decision to sign was quite meaningless—key parts of the agreement were carefully deleted by them prior to signing. It did not constitute a signing of the agreement at all. Quite simply, persons associated with the shelter were continuing to flout the condition sought by the Commonwealth and State Governments. Their view was that they would dictate the supply of public funds and maintain the refusal to be accountable. It is only now, when an independent committee has confirmed their intractability and identified their maladministration, that they seek to reconstruct the past and paint themselves as cooperative and responsive.

Mr Elliott has also given currency to the claim by persons purporting to speak on behalf of the shelter that the management committee was given no opportunity to meet with Department for Community Welfare officers to discuss the shelter's problems and work out agreed solutions, including the signing of the agreement. This is yet another falsehood. In fact, the manager of the Non-Government Welfare Unit of the Department for Community Welfare made at least eight attempts to persuade the committee to change its attitude and co-operate with the department. I reject the untrue statements made by Mr Elliott and the reprehensible manner in which he has joined certain persons associated with the former Christies Beach Women's Shelter in a campaign to direct criticism away from themselves and blame others for their failures and actions.

I want to touch briefly now on the matters raised by Mr Elliott with regard to the investigation and report by the Corporate Affairs Commission. As members are aware, three persons have been charged with breaches of the Associations Incorporation Act. Mr Elliott and some Opposition members have attempted to raise in the Council matters covered by the Corporate Affairs report, claiming to be able to differentiate between matters which pertain to the charges and matters which do not.

My advice from the Crown Solicitor's office is that I should not discuss or divulge material contained in the Corporate Affairs report because I should be scrupulously careful to avoid saying anything which may affect the outcome of the charges that have been preferred. I intend to abide by that advice. In so advising the Council, I deplore the improper actions of members who have attempted to sneak their way around the laws of *sub judice* and present a version of events which they believe could shore up their attacks upon me, the review committee and the department.

The Hon. R.I. Lucas: You did it in the Estimates Committee.

The Hon. J.R. CORNWALL: The half smart Mr Lucas interjects and says that I did it in the Estimates Committee. If he cares to look at the dates on which the Estimates Committee occurred and the date on which it was publicly reported that charges would be laid, he will see that it was some considerable time after the Estimates Committee hearing that any charges were laid. I repeat that I intend to abide by the advice of the Crown Solicitor, and in so advising the Council I say that I deplore the improper actions of members who have attempted to sneak their way around the laws of *sub judice* and present a version of events which they believe could shore up their attacks upon me, the review committee and the department.

Ms President, I also wish to refute the vicious personal attack made upon me by Mr Elliott with regard to the investigation by the Corporate Affairs Commission. Corporate Affairs officers, he alleged, went through the shelter books with a fine-tooth comb because (quoting his words) 'they were obviously under instructions from the Minister to get them.' I note that my colleague the Attorney-General interjected to describe that remark as outrageous. That was an accurate description of Mr Elliott's behaviour. I deny absolutely that I have in any way been involved in the investigation by Corporate Affairs or that I issued any instructions to them.

The Hon. C.J. Sumner interjecting:

The Hon. J.R. CORNWALL: Not only would it be improper but also they would laugh at me. I am not the Minister responsible for corporate affairs, as the Attorney correctly points out. I deny absolutely that I have in any way been involved in the investigation by corporate affairs, or, again, as I said, that I issued any instructions to them. That is an outrageous and silly allegation.

Mr Elliott seems to believe it is appropriate to make allegations of improper behaviour without a skerrick of evidence. One would be tempted to think that he did not realise that he was making a grave reflection on officers of the Crown if one did not know, from his past performances, that he has a propensity for disgraceful attacks on public servants and a well developed capacity for humbug and hypocrisy.

The motion before the Council, Ms President, seeks to condemn me for what he described as 'pre-emptory and destructive action' in defunding the Christies Beach Women's Shelter. It is a spurious motion. The decision to defund was taken by the Commonwealth and State Governments following a review of the management and administration of women's shelters in South Australia. We acted upon the committee's recommendation to defund because of the past and current maladministration. It was a responsible and constructive action in the best interests not only of taxpayers in general but also of all shelters.

I am happy to be able to inform the Council that effective services for women and children in the southern region are now being provided by the Southern Areas Women's Shelter, whose interim management committee is chaired by Sister Anne Gregory. It is a great pity for the shelter movement generally that the former Christies Beach Women's Shelter remained intransigent and refused to cooperate with the Department for Community Welfare and both Governments. I hope that the behaviour of Mr Elliott, the Opposition and certain persons associated with the former Christies Beach Women's Shelter does not further damage the fine reputation of women's shelters generally in South Australia. If they continue the campaign of deceit and distortion it is they—and not me—who will be condemned for their destructive action by the South Australian community.

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

[*Sitting suspended from 5.49 to 7.45 p.m.*]

FIREARMS

Adjourned debate on motion of Hon. I. Gilfillan:

That, recognising the general concern about violence in the community, particularly involving firearms, a select committee be appointed to:

(a) determine distribution and viewing patterns of videos and films depicting violence or cruelty, particularly the effect of the use of firearms in video and films;

(b) determine the impact of such videos and films on—
(i) children; and
(ii) adults;

(c) determine the extent of distribution and the types of firearms in South Australia and the purposes for which those firearms are held or used.

(d) determine the effectiveness of existing legislative controls over possession sale and use of firearms; and

(e) make recommendations for any legislative changes.

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 9 September. Page 784.)

The Hon. C.J. SUMNER (Attorney-General): The Government opposes this motion to establish a select committee. This is not to say that we do not share some of the concerns that it is suggested should be examined by the select committee in relation to the viewing of violent videos and the extent of distribution of firearms in South Australia. These are matters of concern which need to be addressed and which, I suggest, are being addressed satisfactorily at this stage. The Council may wish at some stage to reconsider whether it should establish an inquiry of this kind, but it is not necessary at this stage.

The Hon. Mr Gilfillan's motion falls into two parts. Terms of reference *(a)* and *(b)* refer to the distribution and viewing patterns of videos and films depicting violence or cruelty, the effect of the use of firearms in videos being referred to but not being the exclusive ambit of the inquiry, and to determining the impact of such videos and films on children and adults. That is one category of the inquiry that the honourable member seeks to set up.

The second category deals more specifically with firearms, their distribution, nature and the purposes for which they are used in South Australia. It seems to me that this part is not directly related to the first part of the motion. However, for the purposes of this debate they can almost be treated as two separate issues. During this debate, I do not intend to examine the merits of the argument about videos and films. However, the terms of reference that the honourable member seeks to establish for this select committee are similar to the terms of reference of the already established Joint Select Committee on Video Material of the Federal Parliament. That committee I think was established on 20 March 1985 and was due to report this year.

I am informed, however, that its report has been delayed because of the Federal election earlier this year and it is now anticipated that it will be tabled before Christmas—in fact, a meeting of Ministers responsible for censorship has been scheduled for 10 and 11 December to examine that report. Present information is that that select committee will report this year. I believe that there are representatives from all political Parties on that committee, and that its terms of reference are such that I believe we would be covering essentially the same grounds if we established the select committee proposed by the Hon. Mr Gilfillan with the suggested terms of reference *(a)* and *(b)*.

Although I will not read out all the terms of reference of the joint select committee, I will highlight one or two of them. The purpose of the committee is:

> . . . to inquire into and report upon the operation of the Customs (Cinematograph Films) Regulations, Regulation 4A of the Customs (Prohibited Imports) Regulations and the ACT Classification of Publications Ordinance 1983 in relation to videotapes and videodiscs and in particular—
>
> *(a)* the effectiveness of such legislation to adequately control the importation, production, reproduction, sale and hire of violent, pornographic or otherwise obscene material;

There are then other terms of reference to which I will not refer. Terms *(f)* and *(g)* state:

> *(f)* Examine the extent to which videotapes/discs containing pornographic and violent material are available to the community in general;
>
> *(g)* whether children under the age of 18 years are gaining access to videotapes/discs containing violent, pornographic or otherwise obscene material;

Term of reference *(b)* provides:

> the likely effects upon people, especially children, of exposure to violent, pornographic or otherwise obscene material.

Those terms of reference, although broader than those proposed by the Hon. Mr Gilfillan, certainly cover the topics that he suggests we should examine in paragraphs 1 *(a)* and *(b)* of his motion.

Without getting into the merits of the issue, I accept that it is an important one to the community. The question of violence on video film and television is important and has been addressed by this Government. I certainly took a leading role in the Ministerial Council meeting in an attempt to have tightened up the provisions relating to violence and they were, in fact, tightened up in 1983.

The Hon. I. Gilfillan: And we rang Mrs Strickland.

The Hon. C.J. SUMNER: The honourable member recalls the earlier debate on this issue. At the same time, the so-called 'x-rated' videos were banned in South Australia and

elsewhere in Australia, except in the ACT and the Northern Territory.

I accept that there is community concern, that this is an issue that needs to be examined, and that it is a matter that Governments and Parliaments will have to make decisions about in the reasonably near future. However, there is no point in this Council embarking on an inquiry which has terms of reference already covered by an all Party Federal select committee. If the honourable member wants to reconsider this issue again at some time in the future in the light of that report after it is tabled, we can examine again the issues, but at this stage in my view it would be an almost pointless exercise and we would be duplicating work which has been in train for some 2½ years—this probably indicates the complexity of the task.

I turn to the second aspect of the terms of reference dealing with firearms. Again, it would be silly for anyone to deny that this is a major issue.

However, I believe that the Government, in conjunction with the other States, is examining issues in this area. For the moment I would suggest that this inquiry is also premature. The Police Commissioner has advised that shortly after the Northern Territory/Western Australian shooting incident he formed an internal firearms review party which was chaired by the Deputy Registrar of Firearms (Chief Superintendent Tate) to review urgently the existing Firearms Act and regulations for correlation and comparison with those in other States. The Deputy Registrar also attended an officers working party in Melbourne on 30 September 1987 together with representatives from all States except Tasmania. The working party formulated an agreement that is to be presented at the next Australian Police Ministers Conference in Hobart in November 1987.

One proposal was that the possession of firearms of the self-loading or semi-automatic type manufactured as an anti-personnel weapon and any firearm which is patterned on a military style firearm incorporating self-loading or semi-automatic mechanisms should be banned or, alternatively, available only to an applicant who can justify the purchase.

The Hon. R.J. Ritson: Don't you think it's a question of asking the other States to fall into line with our regulations?

The Hon. C.J. SUMNER: That is what I have just said. I said that this proposal will be put to the Australian Police Ministers Conference in Hobart in November. This proposal comes from the Deputy Registrar of Firearms. I accept what the honourable member is saying—there is a need for uniformity and, in my view, much tougher standards than exist in some other States which, perhaps for the purposes of calm and sensible debate, should go unmentioned.

It is recognised that this type of firearm has no sporting use and its use should not be allowed by the general public. This type of firearm includes those used recently in the Northern Territory, Western Australia, Victoria and England. It was also proposed to seek a uniform approach to the purchase of any firearm and the applicant must prove that they have a justifiable cause to possess a firearm of that class. It is envisaged that, provided licences can be endorsed with conditions and subject to review, the applicant will be requested to rejustify at any review stage. Proposals being considered by the internal working party—

The Hon. R.J. Ritson: Is that for the self-loading, large magazine capacity firearms, or all firearms?

The Hon. C.J. SUMNER: Any firearm. That is the proposal that has come from police discussions on the topic. It has not yet been agreed to.

The Hon. R.J. Ritson: We will watch that with interest.

The Hon. C.J. SUMNER: Yes. Proposals being considered by the police internal working party include possession of imitation firearms for criminal purposes; carriage of loaded firearms in any public place without lawful excuse; presenting (that is, pointing) firearms at other persons; carrying a firearm with criminal intent; and controls on the purchase of ammunition. Recommendations for heavier penalties are also being considered. In addition, a task force has been appointed by the Minister of Emergency Services, Dr Hopgood, and it is examining the manner in which the Registrar of Firearms may impose, remove or review conditions on all licences encompassing class C issued or renewed under the Firearms Act.

Certainly, the Police Commissioner considers (and this view would be shared by the Government) that there is a general concern about violence in the community, particularly violence involving firearms and we consider that, to effectively control possession, sale and use, stricter emphasis must be placed on the justification for purchase and conditions of use must be clearly endorsed on a licence. Should the honourable member require information on the breakdown of firearm distribution, no doubt it can be made available. That was one of the things he suggested for the select committee.

There is no doubt that the recommendations of the Australian Police Ministers Conference, the South Australian Government task force and the Police Commissioner's internal working party will address proposed term of reference 1*(d)*, that is, to determine the effectiveness of legislative controls. Hopefully, in the reasonably near future, perhaps shortly after the Ministers meeting in Hobart, decisions will be announced in relation to what action the Government proposes in this area.

That being the case, I believe that the proposal to set up a select committee is premature at this stage and that it should be rejected. Without in any way belittling the importance of the issues raised by the honourable member in his proposal or in the comments he made in his contribution, I believe, to put it simply, that the proposal for a select committee is premature; the select committee would duplicate work done elsewhere. When we know the results of the Federal select committee, the current internal Government inquiries and the discussions with Commonwealth and State Police Ministers in relation to firearms, we could reconsider the issues, but at this stage I oppose the motion.

The Hon. K.T. GRIFFIN: I do not suppose there are many people who have taken as high a public profile as I have against violence and pornography in videos and on television, and against X-rated videos and even items in show bags depicting violence. Of course, that always brings some criticism, as well as a lot of public commendation. But my difficulty with this proposal for a select committee is that it involves a curious mix of issues which are to be the subject of consideration. On the one hand there are firearms, and on the other hand there are videos and films depicting violence or cruelty. With respect to the Hon. Mr Gilfillan, I do not believe that a select committee of this Council would be able at this stage to achieve effective community controls to any greater degree than are available at present with respect to the availability of the sort of material that depicts violence or cruelty.

Of course, television is subject to Federal legislation and, although I have been a critic of the display of adults only movies from 8.30 p.m. in South Australia, there is not much I can do about it except to make public comments and hope that, through those public comments, the people responsible at the Federal level will be inclined to examine

the issue. I suspect, of course, that that occurs because South Australia is half an hour behind the other States in which adults only movies would be shown on television at 9 o'clock. A number of studies have been undertaken on the effects of videos and television on not only children but also adults, and that is why I think this issue has been raised in the form of a request for a select committee. Three incidents overseas and in Australia that occurred recently appeared to be copycat crimes of violence depicting the thrill killer Rambo and others. I understand that it was really in those incidents that this proposal for a select committee had its origin.

I think that the proposal for a select committee confuses two issues. The question of firearms and firearms controls is peripheral to the broader question of the impact of television and video films on the community. The linking of the registration of firearms and the investigation of the availability of firearms with violent and cruel videos and films is, in my view, an inappropriate link and ignores the real problem. Some tough controls over firearms already exist in South Australia. There are those in the community who want to see them banned absolutely, except perhaps for sporting club purposes; others would swing the other way and seek to have some of the present controls relaxed. That is a proper and legitimate area for debate.

However, I suggest, in the light of the pressure that has been put on Governments across Australia in the past several months as a result of the murders in Australia and overseas, that we ought to wait to see what Governments come up with in terms of regulation of firearms on a uniform basis across Australia rather than this Council establishing a select committee to hear the evidence that has already been collected by police and other authorities and to make a decision. I think that that is an issue that could well await the determination of Governments and, if we are not satisfied with the measures that are proposed on a uniform basis across Australia, that would be the appropriate time to reconsider the matter in the State Parliament, even to the extent of a private member's Bill.

In relation to violence being depicted in videos and films, as I said earlier there have been a number of studies on the impact of videos and films on children and on adults; and the impact is well established. I do not believe that we will make any advances in our range of knowledge about the impact through a select committee in this place. The South Australian Children's Film and Television Council, for example, has looked at questions of violence and the impact of videos; and there are many other studies. It is well documented. What we now have to do is publicly endeavour to bring pressure to bear on those who deal in videos and films and those who set the standards, and they are Governments, the Classification of Publications Board or the Commonwealth Film Censor, to ensure that very tight controls over the availability of videos and films depicting violence or cruelty are maintained.

I do have a concern, and I have expressed it publicly on a number of occasions, about X-rated videos, and the debate in this Council 3½ years ago reflected the concern that I had about the proposed ready availability of that sort of material in the community to which not only adults would have access but children, either deliberately or inadvertently, as a result of adults not exercising their responsibility towards children. I have expressed concern that it has taken so long for the Federal parliamentary committee to produce a report. I suspected that the delay was deliberate and that the Federal Government and the Federal Parliamentarians were not facing up to their responsibilities to ensure that Canberra ceased to be the X-rated video capital of Australia, because out of Canberra, through mail order facilities, that material is available throughout Australia.

I believe that X-rated videos ought to be banned. The quicker the Commonwealth Government exercises its responsibility and takes that step the better off the community will be. I am critical of the Federal Government; I am critical of the Federal parliamentary committee that has taken over 2½ years to progress towards a report on this issue. I hope that what the Attorney-General has indicated will in fact be the position, namely, that we receive a report in the next month or two, and certainly before Christmas and before Federal Parliament rises.

I am critical about the availability of that sort of material. I have been critical of some of the videos and films that can be available for sale or hire. I have been critical of some retailers who do not exercise adequate controls over the availability of R-rated videos to minors. I have been critical of adults who do not exercise their responsibility—and it is a very important responsibility—to ensure that R-rated and X-rated videos are not in any way available to young people. Unfortunately, not all adults accept the responsibility that they have towards the setting of standards for young people. For that reason I believe that there have to be strict controls over the availability of the material, even to the point where the material might not be available publicly for sale or hire. I do not have any difficulty with the concept of appropriate governmental restrictions on the availability of the material.

I have some strong views on the issue, but I do not believe that rehashing the available knowledge and research in a select committee of this Parliament is going to advance the cause of ensuring that there are appropriate strict controls over the availability of this material; nor do I believe that a select committee is really going to affect the standards that are addressed by parents and other adults, and by teachers in the educational system, about the sort of material that can be available and about the ways in which children can be educated to resist the temptation to view this material.

Although I think it is an important issue, I and my colleagues on this side of the Council do not see that we will achieve anything by having a select committee on it. If, on the other hand, the Federal parliamentary committee were to recommend some relaxation of standards, then I would be all for any measure and any course of action that would assist in ensuring that Canberra ceased to be the X-rated video capital of Australia.

Without denying the concern that is expressed by the Hon. Mr Gilfillan on the issue, and without in any way hopefully reflecting on our attitude towards this very important issue, we are not prepared to support the select committee because we do not believe that it will achieve any useful greater controls than there are at present and, in any event, the confusion between violence or cruelty depicted in videos and films and the registration and use of firearms is, I think, unfortunate, and the two do not rest particularly comfortably together, even in a context of a select committee, as proposed.

The Hon. R.J. RITSON: I support what the shadow Attorney has just said and I support many of the remarks of the Hon. Mr Sumner. I, too, am not able to support the establishment of a select committee. The two subjects are really quite different and, as Mr Griffin said, do not sit easily together in the same forum. I just want to make a few remarks in passing about the firearms question. The subject interests me. I have, for a number of years, shot competitively with rifle clubs.

The Hon. L.H. Davis: You score a few bullseyes in this Chamber, too.

The Hon. R.J. RITSON: Yes. I have some acquaintance with small arms.

The Hon. C.M. Hill: Did you do any pigeon shooting in the Navy?

The Hon. R.J. RITSON: Yes, we did clay pigeon shooting in the Navy; it was one of the ship's recreations. You can do that on small ships.

The Hon. C.M. Hill: Not for the ordinary working man.

The Hon. R.J. RITSON: You are referring to the upper deck, are you? That little exchange only goes to show that, in the hands of responsible people, firearms are a legitimate sporting and recreational activity. I am sure the Attorney knows that crime committed with firearms in the hands of the registered owner—and I emphasise that—is a very small component, and not an increasing component, of crime in Australia. Vandalism is a problem that occurs as a result of the use of firearms in the hands of some registered owners, but the State of South Australia has, in the past few years, instituted a computerised licensing and registry system which is in advance of most of the rest of Australia.

The fact remains that the bulk of crime committed with firearms is committed by people who have stolen firearms or illegally bought them on the black market, that is, the people who are criminals. About two years ago, the Hon. Mr Gilfillan recycled in this Chamber (in another context) the famous, or infamous, Smithfield Armory break-in. It was a situation where some criminals broke into an army reserve store and stole a very significant number of military submachine guns. Some of these weapons subsequently turned up in Northern Ireland. I do not think for a moment that these people thought 'We will need a licence to do this.' If they are in fact criminals and intend to do that, it is irrelevant to them whether they will also be guilty of doing it without a licence. Therefore, we need to face the fact that firearms crimes by criminals will occur independently of a licensing system, subject only to the funding and resources put into the fight against crime in general.

Nevertheless, I think that a well organised firearm registry and licensing system is of value in minimising that small area of tragedy where registered firearms may be used by people who are mentally unstable. There are difficulties in predicting which people will become mentally unstable, but the first task for Australian States is to get their registries up to the same standard as the South Australian firearm registry. When that has been achieved, this Parliament could look at the national results of such improvements. Indeed, the Hon. Mr Gilfillan and the Hon. Mr Elliott may not have tried to explore knowledge already available before calling for a select committee because there is a lot of knowledge available. I suggest to them that before occupying the time of the Council with a select committee they should look at the readily available firearm statistics and draw some conclusions from those.

I want to comment about the self loading rifles, because that is an area in which we got our regulations just a little wrong. We introduced regulations that referred to military style firearms with pistol grips. Indeed, we have to ask what it is about these firearms that we are so worried about. We are really worried about two matters: one is the readiness of conversion to fully automatic fire and the other is the magazine capacity.

The firearm that is very hard to justify owning is the army self-loading rifle which is fundamentally designed to be an automatic weapon and used as a submachine gun with a pistol grip and a large magazine capacity. It has a removable part of the mechanism so that the ordinary soldier is unable to use it as an automatic firearm, but the section leader has a weapon without that part removed, as I understand. That is potentially easily convertible and I have every sympathy with the banning of that firearm.

There are other self loading centre fire rifles that are virtually impossible to convert to fully automatic fire unless one is a highly skilled engineer with a very expensive workshop. They have a small magazine capacity. The way the previous regulations were drafted, if a person was using such a firearm and carved the butt in such a way as to form a pistol grip, there was a danger that that person would be in breach of the regulations.

Similarly, some clubs use that style of firearm in national and international competition and, when this matter was the subject of political lobbying in the past, they asked that the regulations be amended to the extent that they could use a particular style of firearm, which was initially manufactured in a way so that it was almost impossible to convert to fully automatic fire, unlike the ex-army SLRs, and to place ownership of those firearms on the same basis as handguns: that is, on a needs basis or club membership. However, to the disappointment of sporting target shooters, we were not able that get the regulations amended to be drafted in terms that got to the nub of the issue.

The nub of the issue is the convertibility to automatic fire, on the one hand, and the magazine capacity, on the other hand. In placing that matter before the Attorney I ask him, if we reach the stage where, as a result of further deliberations on this issue regulations in South Australia are changed, to consider that argument in order to get it exactly right so that the regulations ban what we mean to ban and allow certain sporting competitions to continue.

That is just an example of the matters for consideration but, until the rest of Australia gets up to the same sensible standard of South Australia, I see no point in having a select committee that simply gathers information that is already available to the Australian Democrats, should they wish to go and talk to the police and the officers who collect crime statistics. I oppose the motion.

The Hon. I. GILFILLAN: I am very disappointed that the support is not there for the setting up of the Select Committee. It seems to me that there is a very flimsy argument to oppose the setting up of the Select Committee. To say that there are certain other measures in train which are dealing with the issue is, to me, certainly no excuse for not setting up our own parliamentary select committee. If one looks at the terms of reference and reasons for setting up many select committees, I submit that this case rates well above many in terms of significance and importance as far as the community is concerned.

Do we have to wait until we experience some sort of tragedy similar to that in Hoddle Street that has happened because of the proliferation of these multiple killing weapons which are available within our community and which will continue to be available, even with the so-called increase in fees and inquiries by the Commissioner of Police in various ways? It is not just an issue of working out the detail and the small adjustment that the Hon. Bob Ritson has commented on about one particular type of firearm. I believe that this issue is much more significantly how much people want to accept the ownership and distribution of firearms within our community, particularly within our metropolitan area. I look at a few headlines that I have here from the media that have appeared over the last few weeks. First there is 'Macho image gun tops State sales', and 'Gun scare youth on theft count', 'Gun owners fight customs over assault rifles'. There was this vigorous argument from the

industry that it should get the Chinese semi automatic rifles back from customs, and I believe that they did.

The Hon. R.J. Ritson: In which State was that?

The Hon. I. GILFILLAN: South Australia. Do we live in South Australia?

The Hon. R.J. Ritson interjecting:

The Hon. I. GILFILLAN: I suggest that the Hon. Dr Ritson look at the *Advertiser* of 28 August 1987 and the article headed, 'Gun owners fight customs over assault rifles' by Gerard Tidd, and he will see what I am referring to. Another headline is 'Pot shot gun attacks arouse police fears', and—

The Hon. R.J. Ritson interjecting:

The Hon. I. GILFILLAN: They were imported into South Australia. It is South Australian dealers who are concerned. Rather than take up the time of the Council, I suggest that the honourable member check the article in the *Advertiser* and cease interjecting.

The Hon. R.J. Ritson interjecting:

The ACTING PRESIDENT (Hon. T.G. Roberts): Order!

The Hon. I. GILFILLAN: Mr Acting President, can I continue without that barrage of interjections?

The ACTING PRESIDENT: Order! I have just called for order.

The Hon. I. GILFILLAN: Another headline is, 'Fees up as SA moves for tighter curb on guns'. How pathetic! Obviously, fees going up will not make any difference to people having these firearms about which we are concerned. We then have the *Advertiser* editorial on 24 August. This was a responsible comment, headed 'Guns shall not rule', and I recommend that to members who care about this issue. If they have forgotten it, they should read it again. The final paragraph states:

> Let us not pretend that we will stop the Clifton Hills and the Hungerfords by restricting the availability of a mass killing machine; but we might make ours a better society.

I refer to the substantial contribution to the debate by the Attorney-General. I express my disappointment that, although he recognised that he could see some merit in paragraphs *(c)* and *(d)* of the motion, he said at this time that the Government was not prepared to support the motion.

I am unhappy about that determination by the Government and I would also argue that, although the Attorney says there were two separate issues, the attempt in the terms of reference that I have established is to connect specifically the link between firearm use and firearm distribution—firearm display in videos and films and firearm distribution and the likelihood of its abuse through deranged misuse that these other areas have suffered from.

He said that the inquiry is premature, that a police inquiry would take place in lieu of the select committee's work. The Attorney said that he believed that much tougher controls were required. Surely that is a reasonable argument for the establishment of a select committee in South Australia, a very effective Parliamentary instrument to make in many cases substantial and definitive recommendations for a Government to follow.

I feel that a pathetic excuse has been offered by the Government and the shadow Attorney-General for not appointing a select committee on the ground, first, that the video issue is separate from the firearms issue and, secondly, that the issue is being looked at in other areas, as a result of which we do not have to worry. I think that the Hon. Trevor Griffin unfortunately used this issue to indicate that he has been a vocal opponent of immorality in videos and films and is not prepared to ensure that this select committee is a single purpose committee to look not at the overall effect that sexually explicit scenes or scenes depicting other forms of physical violence have, but specifically at the use of firearms.

I believe that there are good reasons to look at the other consequences of film, video and probably printed material. However, because of the specific reason that I wanted to focus on firearms, I tried to get a term of reference which meant that the committee would look specifically at that part of the issue. There is no doubt in my mind—and it is borne out by many higher authorities than myself—that the Rambo (if I can use that term) theme of firearm use has perpetrated our community to the point where we are now breeding people for whom multiple killing by the use of firearms is a macho acceptable activity. Until that trend is stopped, I believe that the Government is not honouring its responsibility to protect the physical and mental health of our community.

So, I believe that a select committee should be set up to look at that specific aspect of the impact of the media on our community and to examine what currently exists in relation to the distribution and types of firearms in order to give the public the opportunity to feed back into Parliament what it considers should be done.

There has been an amazing acceptance by people to whom I have spoken to about dramatically reducing the distribution of firearms in personal possession in the metropolitan area. Most of the sporting clubs that have had contact with me share my concern and would like to have legislation and systems which would allow them to continue their sporting and hunting activities but which would impose restrictions on the wide proliferation of these firearms cum weapons. In fact, the Small Bore and Air Rifle Association welcomed the idea of a select committee to ensure responsible use and control of firearms, thus allowing the association to continue with its sport.

I repeat that I hope I am wrong and that we do not have to wait until some ghastly incident happens in Adelaide or South Australia before this Parliament sees fit to support the Democrats' move for a select committee. Even if we did not have to wait for that to happen, I plead with the Council to consider yet again that the subject matters that I have attempted to put into the terms of reference are sufficient to warrant the establishment of a select committee and, more important, if we are not prepared to appoint a select committee now, I hope that the Government will be prepared to consider it favourably in the future if after further discussion with honourable members I can get an intimation of support for my proposal when there are fewer select committees on our work schedule.

I do not believe it is a matter of competition in relation to which select committee should take precedence of another. I think that, if issues exist which demand the appointment of people to work on select committees, that should be our top priority. We have an ideal opportunity to do something constructive in South Australia before we bear the penalty of a possible tragedy taking place, and I am very sorry to hear the indicated lack of support for my motion.

The Council divided on the motion:

Ayes (2)—The Hons. M.J. Elliott and I. Gilfillan (teller).

Noes (17)—The Hons G.L. Bruce, J.C. Burdett, J.R. Cornwall, T. Crothers, L.H. Davis, M.S. Feleppa, K.T. Griffin, C.M. Hill, J.C. Irwin, Diana Laidlaw, R.I. Lucas, Carolyn Pickles, R.J. Ritson, T.G. Roberts, C.J. Sumner (teller), G. Weatherill and Barbara Wiese.

Majority of 15 for the Noes.

Motion thus negatived.

REMUNERATION ACT AMENDMENT BILL

The Hon. I. GILFILLAN obtained leave and introduced a Bill for an Act to amend the Remuneration Act 1985. Read a first time.

The Hon. I. GILFILLAN: I move:

That this Bill be now read a second time.

This Bill is introduced primarily because of our sympathy for the situation of Liberal Party members in this place. I was deeply moved yesterday by the impassioned speech by the Hon. Legh Davis. I do not think that anyone in this Chamber could have remained dry-eyed as he ran through the dire deprivations of staff from which Liberal Party members in this place suffered. It seemed appropriate and proper to the Democrats to proceed with this legislation, which we feel is the only effective and fair way to deal with this ongoing dilemma of proper and fair allocation of staff to members in this place.

More conscientious Government members who are able to deliberate on this matter will find that this Bill will appeal to them as well, because even the most optimistic member of the Labor Party cannot expect to be on the Government side of the Council indefinitely, and if in future years another Party is in power and this Bill has not been passed they may well lament the fact that there is no independent and objective arbiter to determine staffing levels for members in this place. I make absolutely plain that, although the title includes the word 'remuneration', because this is an amendment to the Remuneration Act, it has nothing whatever to do with salaries applicable to members of Parliament—it is a matter only of the allocation of resources for staff and facilities.

I turn to that profoundly moving speech that was made last night (or whatever time it was, although, as it was dark, it seemed to be an appropriate time for it).

The Hon. L.H. Davis: It was at 3.15.

The Hon. I. GILFILLAN: Then it was in the dying stages of the day. Because of the unnecessary stress under which the honourable member has to work in this place he could be forgiven for distorting some of the facts. He implied that the plight of Liberal members was caused by the generosity lavished on the Democrats. I can assure him that that is not a position that I share—whatever we have by way of assistance has had nothing whatever to do with any staff shortages experienced by the Hon. Legh Davis.

The Hon. L.H. Davis: I have a secretary who calls herself 'Miss Twenty Per Cent'.

The Hon. I. GILFILLAN: Yes. I do not intend taking up the time of the Council with a brawl between two groups of people who should be friends, particularly in this case, so I appeal to the Hon. Legh Davis to forget any envy that he feels about our inadequate allocation of staff, even though it seems to him to be more generous than his staff allocation, and to look at this from the point of view of the proper allocation of staff to members in this place. I will comment on one point he made, because it is the answer to a question which I asked and which got little publicity. He has observed (as have many of us) the interesting internal improvements to this building to cater for the housing of two Government staff members. He described it as 'a little palace on the first floor', again showing what a particularly pretty turn of phrase he has from time to time. He may not know, or may not remember, that I asked the cost of that 'little palace' and will place on the *Hansard* record again for the benefit of honourable members that the total cost of that little palace was $20 055; structural alterations were $6 778; painting $1 165; and supply and installation of four chandeliers, $1 178.

Due to a contractor's error, the blinds were replaced at no additional cost to the Government. Installation of power and telephone points cost $1 631 and furniture $4 000. I do not begrudge those two secretaries the reasonable working conditions they currently enjoy; it is just a shame that others of us who are supposed to be doing a job and people who are supposed to be doing equally important work for us do not have similar facilities at this stage.

The Bill will take the debate as to what is a fair distribution of resources to honourable members out of this place, and will stop supplicant members having to write pleading letters to Ministers. Some of us receive polite replies, but with sorrow in my heart I learnt that the Hon. Legh Davis was hurt by the reply he received from the Minister for Housing and Contruction. It is a shame that he was treated so cruelly. I took the trouble to write to the Premier to ask whether he could see his way clear to support the Remuneration Tribunal having the power of determination in this matter. Regarding research assistance for the Australian Democrats, in a letter to the Premier the tribunal said:

> At its hearing in public on 4 March 1987 the tribunal heard a further submission on behalf of the Australian Democrats in which it was proposed that an additional expense of office allowance or electorate allowance should be provided for the Australian Democrats on the basis that, as they hold the balance of power in the Legislative Council, the workload is very heavy—

The PRESIDENT: Order! There is too much audible conversation. If people wish to have private conversations, can they please leave the Chamber before doing so, or keep their voices down to a whisper while sitting next to the person to whom they are speaking.

The Hon. I. GILFILLAN: Thank you, Ms President, I hope that honourable members heard your words.

The PRESIDENT: If they did not, they are likely to be named.

The Hon. I. GILFILLAN: That is getting nearer the bone. The letter continues:

> and additional research, clerical support and office equipment is essential. These submissions are similar to those which were heard on the occasion of the 1986 review and they were similar to submissions put to the previous Parliamentary Salaries Tribunal. The tribunal reiterates that it has no jurisdiction to entertain this claim.

The Premier, John Bannon, wrote to me as follows:

> Dear Ian: I refer to your letter of 6 March regarding the Remuneration Tribunal's ability to determine an allowance for the Democrats. As you know, I have received a report from the Remuneration Tribunal and a letter which clearly states that the tribunal does not have jurisdiction to determine research or clerical support for the Democrats.

The Hon. L.H. Davis interjecting:

The Hon. I. GILFILLAN: I can assure Opposition members that I have studiously avoided presenting this Bill as a case for the Democrats, and I hope that it is taken on its face value. I genuinely believe that there is no point in depriving Opposition shadow Ministers of what is a fair allocation of staff and resources. If the Government and the Parliament turn to the Remuneration Tribunal to determine what electorate allowances should be, surely the same body could be asked to determine what is a fair allocation of resources for members of this place.

Members interjecting:

The Hon. I. GILFILLAN: It is a pity that honourable members are not following my lead and turning to the Bill. They seem to be engaging in what I would call cross-Chamber chatter, which may be entertaining for them. However, it is doing nothing with regard to following the content of my Bill. If they get around to reading *Hansard* they will notice that my Bill—this charitable Democrat gesture, particularly to a Party in Opposition—states in clause 2 *(b)*:

The shadow Cabinet—

so it actually refers to the shadow Cabinet—

means a group of members of Parliament nominated by the Leader of the Opposition in the House of Assembly to present the Opposition on matters relating to Ministerial portfolios, being a group that conforms with the following conditions:

(a) the group must include the Leader of the Opposition in the House of Assembly and the Leader of the Opposition in the Legislative Council;

and

(b) the number of members of the group must not exceed the number of Ministers of the Crown.

Members interjecting:

The PRESIDENT: Order!

The Hon. I. GILFILLAN: I get the impression that I am not being listened to very intently.

The PRESIDENT: Order! I call the honourable Attorney-General and the Hon. Mr Hill to order.

The Hon. I. GILFILLAN: Thank you, Ms President, I really appreciate the hush.

The PRESIDENT: If people wish to have a conversation will they at least sit next to each other and try not to do so *sotto voce* whispers across the Chamber, which prevents *Hansard* and me from hearing anything else.

The Hon. I. GILFILLAN: I like the earlier suggestion that they leave the Chamber, but I suppose that this is a better suggestion. New section 16 (4) *(b)* provides:

the number of members of the group must not exceed the number of Ministers of the Crown.

The tribunal makes the actual determination. New section 16a (2) provides:

(a) to determine the nature and extent of the staff, facilities and services (in addition to these available to members generally) required by that member or those members for the effective performance of his, her or their parliamentary duties;

and

(b) to award to that member or those members the reasonable cost of obtaining staff, facilities and services in accordance with that determination.

It is important to explain new section 16a (3), because it goes further than just catering for the Opposition; it caters for individuals and other lesser Parties, such as the Democrats. It provides:

For the purposes of this section—

(a) two or more members of Parliament who do not belong to the same political party may not make an application under this section as a group;

and

(b) where two or more members of Parliament belong to the same political party, they may only make an application under this section as a group.

I recommend that members consider this Bill closely. I have been responsible for requiring members to be answerable for the amounts that they may be awarded by the tribunal. New section 16a (5) provides:

A member to whom amounts are paid under this section must within three months after the end of each financial year provide Presiding Officers of each House of Parliament with audited accounts showing accurately and in detail the way in which those amounts have been expended.

In recommending this Bill to the Council, I point out to the Government that surely this would be a much more honourable and easier way for it to deal with the fair requirements of members of Parliament and the facilities they require to do their job. I extended the Opposition the courtesy of showing members this Bill many weeks ago. At that time they had misgivings about the implications in relation to salaries of members of Parliament generally, but I ask them to cease being pusillanimous about this matter and support the Bill, realising that it is the only fair way and probably the most effective way for them to get what they want. That will be determined by a completely fair and independent arbiter. I recommend the Bill to the Council.

The Hon. M.J. ELLIOTT secured the adjournment of the debate.

FREEDOM OF INFORMATION BILL

Adjourned debate on second reading.

(Continued from 14 October. Page 1146.)

The Hon. R.I. LUCAS: I support this reforming, far sighted legislation introduced again by the Leader of the Liberal Party in the Council, the Hon. Martin Cameron. I have spoken about the need for reform for freedom of information legislation in South Australia on a number of occasions since entering Parliament in 1982-83, and most recently I spoke on this Bill in the last session of Parliament on 25 February 1987. On that occasion and on previous occasions I spoke at length about the reasons for the introduction of freedom of information legislation in South Australia, and in my contribution in February this year I refuted the arguments put by the Attorney-General (Hon. Chris Sumner) against the movement to freedom of information legislation in South Australia.

On that occasion the Attorney argued that we should wait for reports from the Parliaments in other States and the Commonwealth, and he cited cost as being a reason why we should not have freedom of information legislation, as proposed by the Hon. Martin Cameron in this Council. As I indicated on that occasion, the Attorney-General of the State Bannon Labor Government has had a massive change of heart on the question of freedom of legislation information.

For many years in the policy documents that members opposite trotted out regularly at State elections we saw the Attorney-General in Opposition promising to introduce freedom of information legislation. However, the Bannon Government has now been in power for about five years with the prospect of at least another two years in power, a total of seven years, and we have an Attorney-General who, I have argued on many other occasions (and not just in relation to freedom of information legislation), is very conservative and reactionary as opposed to Attorneys in other States, such as Jim Kennan in Victoria who has had, as I have instanced previously, a reforming record in many areas, including freedom of information but most recently in relation to computer crime with the introduction of new legislation in Victoria. I will not repeat those arguments; I want to concentrate on one matter to highlight an example of the importance of freedom of information legislation not only as an esoteric theoretical exercise for members of Parliament but also as something that has value and importance to members of the Parliament and the community at large in terms of knowing how Ministers and Government spend their money.

I refer to the vexed question of market research and expenditure and consultancy expenditure incurred by members of the Bannon Government overall. Members will be aware of the unfortunate circumstances involving the Minister of Health (Hon. John Cornwall) on a previous occasion when the majority of members in this Chamber, not just in a partisan way but including the Democrats, were compelled by the evidence to move a motion of no-confidence in the Minister of Health because he had, over a long period, clearly misled members of this Council.

That is the gravest of sins, the gravest of errors, that any member, and in particular a Minister of the Crown, could

commit. Not only had he done it on one occasion but, as I said, he had done it consistently in this Chamber in relation to the question of market research expenditure by the South Australian Health Commission. The Minister on that occasion, letting his ego get in the way of what might on other occasions have been better judgment, used a survey by Rod Cameron from ANOP (which was meant to look at drug and alcohol usage) to find out how many people in the community liked him and how many did not like him, and asked for that question to be included in the survey.

Then, I suppose to ingratiate himself with Chris Schacht from the State Labor Party, he decided that not only would he find out how popular he was but he would run the Labor Party's election market research as an add-on to a Health Commission paid survey on drug and alcohol usage. That is history now. It is a sad part of the history of the Legislative Council. He was the only Minister in this Chamber ever to have been admonished in such a fashion by a Legislative Council Chamber which comprised two non-government Parties—the Democrats and the Liberal Party—and we can only hope that he will be the last Minister to be admonished in such a way.

If freedom of information legislation had been available on that occasion members in this Chamber would not have had to incur considerable expense and trouble and a good period of time—some 12 months—in tracking down the deceit and the untruths that had been told by this Minister of Health in this Chamber. At the moment we have had some responses from various Ministers, and these are reported in answers to Questions on Notice in *Hansard* for the first week of October. These answers indicate a total expenditure by this Government of many hundreds of thousands of dollars on market research and consultancies. Members who are avid readers of the Notice Paper will note that I have on it a series of questions seeking to pursue information in relation to market research expenditure and expenditure on consultancies for a whole range of departments and Government agencies.

In the response that we have had we see, for example, that the STA and the Highways Department have spent $260 000—a quarter of a million dollars—surveying travel behaviour in the metropolitan area, and this information is to be used for planning Adelaide's transport system. A whole range of other surveys, paid for by the taxpayers, have been commissioned by Ministers of the Bannon Government at public expense. Members of the public and members of this Chamber are not provided with the results and the information from that publicly commissioned and funded market research.

One needs to ask why the Government and respective Ministers will not reveal the results of taxpayer funded market research surveys into areas such as this quarter of a million dollar survey conducted by the STA and the Highways Department. It is clear that one of the reasons why we are not allowed to see the results of this research is that the Bannon Government is using taxpayer funds to, in effect, conduct surveys that will assist it in its positioning for the next State election. What it has decided is to continue in a more subtle way the Cornwall market research survey technique.

The Hon. C.M. Hill: The way he slipped that question into that survey.

The Hon. R.I. LUCAS: Exactly. The Hon. Mr Hill remembers; he has a very good memory.

The Hon. C.M. Hill: At public expense.

The Hon. R.I. LUCAS: At public expense, conducting personal and Party research. It is the right of members of this Chamber, the media and members of the public to be able to see the results of market research studies that have been commissioned at taxpayers' expense. This Government, because we do not have freedom of information legislation and because we do not have an Attorney-General who is prepared to keep his promises in relation to this matter, is preventing the release of such information. That is why the Attorney-General and the Bannon Government oppose freedom of information legislation.

The Attorney-General and Ministers in this Government obviously are aware that in Victoria, where freedom of information legislation exists, members of the Opposition and the media are able to get access to the results of market research surveys conducted by the Government at taxpayers' expense. The Attorney-General knows that the Cain Government has been embarrassed by the revelations included in the surveys that have been undertaken by it at public expense. The Attorney-General is opposing the legislation, which he has formerly promised, for that reason. It has nothing to do with costings. It has nothing to do with questions of looking at legislation in the other States or the Commonwealth. It has solely to do with political advantage. It has solely to do with not wishing to allow the results of embarrassing information such as market research surveys conducted at taxpayers' expense to be revealed to the Opposition and the public.

As I have indicated in this new frame of mind in this Parliament I do not intend to go on at any great length. I indicate again my very strong support for the Bill that was introduced by the Hon. Mr Cameron. I gave my technical reasons in my earlier speech in February this year for those readers who might want to look at it. For the reasons I have given this evening and for the reasons I have given on previous occasions, I indicate my strong support for the Bill.

The Hon. L.H. DAVIS secured the adjournment of the debate.

MARIJUANA

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

That the regulations under the Controlled Substances Act 1984, concerning expiation of simple cannabis offences, made on 30 April 1987 and laid on the table of this Council on 6 August 1987, be disallowed.

(Continued from 14 October. Page 1147.)

The Hon. K.T. GRIFFIN: Today is the day of decision by this Council and each of its members as to whether or not their conscience will allow them to support the continuation of the system of on-the-spot fines for some cannabis offences. I do not suppose that it is necessary to remind members that there has been a hard and controversial battle fought against on-the-spot fines for some cannabis offences. The regulations refer to them as 'simple cannabis offences', but I believe that that is a calculated misdescription of the offences which are the subject of those regulations.

The expiation fees are payable for certain possession offences wherever they occur, that is, in public or private places. They relate to the smoking or consumption of cannabis in a place other than a public or prescribed place. They relate to the possession of equipment for smoking marijuana in both public and private places. The offences do not relate to the smoking or consumption of cannabis in a public place, a position which resulted from Opposition criticism of the proposals by the Government which would have enabled individuals to flaunt the smoking or con-

sumption of cannabis in a public place with relative impunity.

The Opposition's view has been clearly expressed over the past two years. A move towards on-the-spot fines, or expiation fees, for certain cannabis offences creates a perception publicly that the offences are not serious and that the use of marijuana is not to be regarded seriously. It creates a perception, in the face of a contrary campaign in the national drug offensive, that using marijuana is okay. It does not ever accommodate the problem of a person committing a series of offences, expiating them and then being able to commit the same offence again with only a fee akin to that for a parking offence having to be paid if caught. There is no focus on repeated or regular offenders. There is no focus on these offences when committed in conjunction with other offences.

The figures given in the Parliament by the Government in relation to on the spot fines are interesting. For the months of April, May, June and July (remembering that April is one day, 30 April, when the regulations came into effect) 1 333 offences occurred: 669 were in private places—the home or other private property; and 664 were in public places such as vehicles, in public places, shopping centres, hotels, sporting venues and police stations, watch-houses or gaols. If that were to be averaged out it would demonstrate a rate of something like 5 300 offences annually, plus those offences which relate to smoking or consumption in a public place. These latter figures are not available.

In the most recent information provided to me by the Government in answers to Questions on Notice, at 10 September 1987, 267 prosecutions for offences for which an expiation fee has not been paid, have been instituted. They relate to May and June expiation notices but they are not final and more may be instituted. If one endeavours to relate those to the annual rate of prosecutions, there will be something in excess of 2 000, plus those which are detected and relate to the smoking or consumption of cannabis in a public place and for which proceedings will be issued in courts.

The basis upon which the Government introduced the on-the-spot fine system was that it would relieve pressure on the courts. The number of prosecutions is not substantially different from the number of prosecutions issued prior to the introduction of expiation notices. The Office of Crime Statistics report of 19 August 1987 makes the point:

> It [the legislation] apparently simplifies police procedures for handling these offences and could be expected to reduce pressure on the courts by removing the majority of simple cannabis offences by adults (estimated at approximately 3 000 to 4 000 cases per year) from the court system.

This just will not occur if the statistics presently available are an indication of what the trend is likely to be over a full year, and the number of cases which are still the subject of prosecutions in courts.

The Police Commissioner's annual report tabled in the last week or two, in dealing with drug offences, contains alarming information. The rate of drug offences in total is twice as high as when this Government came to office in 1982. There is an 18.9 per cent rise in drug offences coming to the notice of the police over those of the previous year. Cannabis related offences have shown a significant rise over the last 12 months. Offences relating to the cultivation of cannabis jumped from 236 in 1985-86 to 389, a 64 per cent increase. The selling of cannabis or possession of cannabis for sale offences increased from 235 to 267, a 13.6 per cent increase. Possession of implements of drug use increased from 2 236 to 2 752, a jump of 23 per cent. The possession or use of cannabis increased from 3 373 to 3 972, a jump of nearly 18 per cent. These are disturbing figures. The Police Commissioner's report states:

> A large proportion of recorded drug offences involved cannabis or its derivatives. In particular, during 1986-87, 95.1 per cent of offences involving the possession or use of drugs related to cannabis. In the case of selling or possessing drugs for sale, 78.7 per cent involved cannabis or its derivatives, and with the exception of four all offences recorded under the making and cultivating category involved the cultivation of cannabis.

We cannot as a community be insensitive to the drug problem, nor can we give any impression to the community we represent that drug taking is being treated less seriously than it was in the past or that it is condoned for the purpose of a revenue raising exercise. The dangers in the use of marijuana, either on its own or in conjunction with alcohol or other drugs, are well documented. I have explored it at length on several occasions in this Council. Expiation fees for some offences will not assist the fight against drug taking. I urge every member of the Council to act according to his or her own individual conscience on this motion and to ensure that the regulations are disallowed.

The Council divided on the motion:

Ayes (9)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis, K.T. Griffin (teller), C.M. Hill, J.C. Irwin, Diana Laidlaw, R.I. Lucas, and R.J. Ritson.

Noes (10)—The Hons G.L. Bruce, J.R. Cornwall (teller), T. Crothers, M.J. Elliott, M.S. Feleppa, I. Gilfillan, Carolyn Pickles, T.G. Roberts, C.J. Sumner, and Barbara Wiese.

Pair—Aye—The Hon. Peter Dunn. No—The Hon. G. Weatherill.

Majority of 1 for the Noes.

Motion thus negatived.

MARIJUANA

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

That the regulations under the Controlled Substances Act 1984 concerning expiation notice for simple cannabis offence, made on 30 July 1987 and laid on the table of this Council on 6 August 1987, be disallowed.

(Continued from 12 August. Page 119.)

The Hon. K.T. GRIFFIN: This motion deals with an amending regulation to those which were the subject of the motion that has just been lost. I indicate that, if I lose the call on the voices, as I would expect to do in view of the vote on the motion just put, I will not call for a division.

Motion negatived.

LOW INCOME HOUSING

Adjourned debate on the 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 7 October. Page 1017.)

The Hon. C.M. HILL: I support in principle what the Hon. Mr Elliott is endeavouring to do with this motion, that is, to establish an inquiry in which housing for low income people, both on a rental and home purchase basis, can be further investigated in this State in a general endeavour to help such people. I hope that the whole Council will agree that there are many in this category who need more help from Governments than they have been able to obtain in the past.

When we look at the question of shelter it is our citizens who are suffering disadvantages such as unemployment or social difficulties of some kind and who simply cannot afford to enter the ordinary market and rent shelter or buy housing. There may be some ways and means in which the Government of the day, particularly through its public housing instrumentality—the South Australian Housing Trust—can further help such people and find ways and means to help them obtain accommodation.

However, the Hon. Mr Elliott in moving the motion has gone into a lot of detail as to the terms of reference that such an inquiry—he is suggesting a select committee—would be bound to, and I doubt seriously whether there is a need for this Council to lay down such specific terms of reference. If the general concept of an inquiry to help such people is laid down in the motion, and if the committee is given the power to take its inquiry further into what is deemed to be related matters, that is as far as this Council should go. If the select committee is appointed, we could leave the rest of the detail for the select committee to sort out.

One aspect of the matter that I think the Council should avoid is giving such wide terms of reference to the select committee that will need a long period of time in which to make a full investigation. An inquiry of this kind should not go on for years and years.

The Hon. Diana Laidlaw interjecting:

The Hon. C.M. HILL: Yes. We had the example of the energy select committee, which has gone on for too long. We should learn from our mistakes.

The Hon. C.J. Sumner: It has run out of energy.

The Hon. C.M. HILL: Yes, it has run out of energy. Therefore, let us not provide for new select committees to get bogged down in their inquiries for a long period of time. I do not want to speak at length on this matter. I have on file an amendment that would cut out a lot of the detail that the Hon. Mr Elliott has proposed in his motion. My amendment would leave the bare bones. It would set up a committee in the first instance and, secondly, give that committee sufficient powers to do the job that we all want to see it do. However, there are one or two matters in relation to this proposed change that I want to discuss with the Hon. Mr Elliott. That will not take very long, but in the meantime I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SOUTH AUSTRALIAN TIMBER CORPORATION

Adjourned debate on motion of Hon. L.H. Davis (resumed on motion).

(Continued from page 1378.)

The Hon. M.J. ELLIOTT: I have spent a great deal of time outside this place discussing the various problems associated with this committee one way or another.

An honourable member: Agonising.

The Hon. M.J. ELLIOTT: 'Agonising' is indeed the word. However, after again reading through the speech of the Hon. Mr Davis, and having made other inquiries generally in the community, I am convinced that there are problems that need looking at. We are talking about a body in which the people of South Australia are effectively shareholders. As such, I think the shareholders of South Australia, the taxpayers, have a right to know how this body is functioning. There is sufficient evidence to suggest that there may be problems. With that in mind, I support the appointment of the select committee.

However, I also have a couple of concerns in relation to the functioning of the select committee. In particular, I do not share the privatisation or commercialisation concerns that the Liberals have, and I would hate to think that they were just playing political games with those sorts of concerns and looking to remove commercial advantage from Satco and the Woods and Forests Department, etc. I would like to hope and think that such mischief does not occur. I would also like to think that the books of these organisations will not be opened up in such a way that important commercial knowledge is simply given away.

The Hon. Diana Laidlaw: It would not be given away in respect of confidences, would it?

The Hon. M.J. ELLIOTT: I will take that into account. Just let me finish. Such a committee needs to be aware of commercial considerations. The other consideration of which the committee needs to be extremely wary is that a court case is currently being conducted in the Federal Court on matters which the committee would touch on. Certainly, the Standing Orders of Parliament are very strict in relation to the behaviour of Parliament, and therefore of a select committee, on matters that are *sub judice*. So, I find myself in something of a cleft stick: seeing that there was a need for a committee, but also seeing that the functioning of the committee will produce a couple of potentially undesirable problems.

With those matters in mind, I have circulated possible amendments to this motion for a select committee which I will now touch on. I hope to remove subparagraphs *(b)* and *(d)* of paragraph 1 because I think they are not important. Also, I think that they would carry commercial information which would be valuable for the opposition but which did not provide important information that went to the core of what I believe this select committee is supposed to be all about.

Also, in relation to the *sub judice* problems and the commercial considerations, I have moved an amendment to strike out paragraph III of the motion. The effect of that would be that we would be far more careful in what information that came before the select committee was finally disclosed. It would be very much in the hands of the Legislative Council itself as to what material eventually became public and what did not. I believe that the Government has looked at an alternative to that proposal, and I will weigh up the pros and cons of simply removing paragraph III or moving an alternative paragraph III which the Government was proposing. I move:

Paragraph I—Leave out subparagraphs *(a)*, *(b)*, *(c)* and *(d)* and insert in lieu thereof the following paragraphs:

(a) 70 per cent interest in International Panel and Lumber (Australia) Pty Ltd;

(b) Current financial position;

(c) Other related matters.

Paragraph III—Leave out this paragraph.

The Hon. J.R. CORNWALL (Minister of Health): In moving to establish a Select Committee to inquire into and report on the operations of the South Australia Timber Corporation, the Hon. Mr Davis appeared to us to have paid no regard to the commercial implications of such a proposal, particularly since he seeks to publish information as the committee's work proceeds. I know that my colleague, the Attorney-General, has on file an amendment which may take care of that matter—one hopes that it will, if this unfortunate committee were to proceed.

The honourable member showed scant respect for the real world of business. For one who is supposed to be so well qualified in commercial areas and to have particular expertise in such areas, it seems a strange way of going about things. Already the coverage that has been given to his ill-informed comments in the media have been very damaging, not only to the position of those companies in the marketplace but also to the morale of employees at all levels. In what I regarded as a desperate bid to demonstrate a need for this review, the Hon. Mr Davis also attacked an innovative development of the reconstitued timber product Scrimber by the Division of Chemical and Wood Technology of the CSIRO. That was, of course, a fundamental mistake.

The Hon. M.B. Cameron interjecting:

The Hon. J.R. CORNWALL: Yes. I have done some research, and will explain matters to the honourable member in a moment. The Hon. Mr Davis cackles, but it was a fundamental mistake which demonstrates the total lack of research and real evidence that the member has obtained in respect of the corporation's activities generally. It shows a fundamental ignorance of the Scrimber process.

The Hon. L.H. Davis: Have you read what the Auditor-General has had to say?

The PRESIDENT: Order!

The Hon. J.R. CORNWALL: I will come to that eventually. I have a response from Dr Warren Hewertson, Chief of the Division of Chemical and Wood Technology, addressed to Mr Davis and dated 18 September 1987. Dr Hewertson was involved closely in the development of Scrimber, and I believe it will be useful for me to read at least part of this letter into the record as it covers all the criticisms made by Mr Davis and illustrates the lack of any foundation to his argument for the establishment of a select committee. I do not want to take up too much time of the Council, but this is fundamental to the debate. The letter is addressed to Mr Davis and states:

> I refer to a brief article, 'Doubt on SA Timber Venture', which appeared in the *Australian Financial Review* of 15 September. It attributed to you the statement that 'Scrimber . . . had a doubtful and expensive future and many experts believed the technology would become quickly outdated.'

Dr Hewertson went on to describe the development of scrimber and continued:

> Scrimber is a product invented in this laboratory—

that is the CSIRO laboratory—

> and developed by us in conjunction with the engineering company, Repco Ltd, in response to two major market requirements:
>
> Firstly, the availability of high quality large section long timbers in Australia (and much of the rest of the world) is diminishing rapidly. Our imports of forest products, mainly from North America, are roughly ⅓ of the total market at a cost to Australia of almost $2 000 M. The biggest single sawn timber import is structural material, largely Douglas Fir (or Oregon). The import bill for which in 1985-86 was $117 M.
>
> Secondly, plantation forests are likely to become the dominant resource in Australia before the turn of the century. Intensively managed plantations have the attraction of producing quality sawlogs of high value so long as markets can be found for the thinnings which must be taken from the plantations at appropriate intervals—

as the Hon. Mr Roberts knows better than any of us. The letter continues:

> The supply/demand nexus for such material in most areas is such that there is substantial non-commercial thinning—that is, the thinnings are merely left on the forest floor. Where thinnings can be sold, for example in pulp production, particleboard manufacture or treated posts, they command much lower prices than sawlog.
>
> The vast majority of reconstituted forest products are non-structural boards, for example, particleboard, hardboard, medium density fibreboard. Plywood can be turned into structural beams at considerable further cost.
>
> When our research began, Macmillan Blodel in Canada had patented a process involving the manufacture of veneer from logs, splintering the veneer and reconsolidating the dried material, with adhesive, into large cross section beams. This process, like processes to make glue laminated beams, laminated veneer lumber and plywood, requires mature, premium quality, large diameter sawlogs. Scrimber can be manufactured from much cheaper feedstock, either from thinnings or very short rotation plantations of seven to 10 years old. The only other product which can be manufactured from such feedstock is Triboard, announced recently by Northern Pulp Ltd in New Zealand. A version of this material could find structural application, but it does not have the solid timber appearance of Scrimber, nor has its mechanical strength been disclosed.
>
> Obviously any new process carries risk of a higher order than simply carrying on with existing technology for existing products. This division—

a division of the very revered Australian CSIRO—

> gives great attention to identifying market needs and developing processes and products which are designed to help the industry improve on existing performance. For technology to overcome the hurdles, both technical and economic, of competition with existing and emergent processes distinct advantages must be sought. We have demonstrated such potential advantages in Scrimber with Repco. The first production plant of this—like any other venture—will be the essential proving ground. The comments you are reported to have made could have equally applied to the first plants to make particle board, oriented strand board, medium density fibre board or any other new product.
>
> As a Commonwealth funded body CSIRO goes to great lengths to ensure that the benefits of successful research accrue to Australia. When CSIRO/Repco decided to seek licenses for the technology (patented in the major softwood timber-producing countries in the world) a CSIRO condition was that the licensee should be Australian based. We identified a short list of such companies which had demonstrated experience in the timber products industry, appropriate engineering skills, and international marketing expertise. A few of these companies had insufficient access to suitable softwood resources (the technology is not yet sufficiently developed for hardwoods).
>
> Howeveer, there was strong competition for the licence in Australia, and the choice of Satco rested not only on its proven history in leading the Australian development of a softwoods industry, and success in adopting new products and processes, but also on its access to a large and sustainable resource. Since the announcement that the Scrimber technology has been licensed to Satco in Australia, New Zealand and Asian countries, we have been inundated with inquiries from overseas, particularly from North America, Japan and Europe. To ensure maximum return to the Australian taxpayer, CSIRO/Repco are committed to giving commercial preference to Australian interests in exploiting the technology in overseas markets. Indeed, Satco, under our existing licence, stand to gain considerable benefit from such developments.
>
> I feel that your remarks, if correctly reported, are ill-informed and can only discourage Australian enterprise in bringing to the market place an exciting and attractive new product which offers the Australian taxpayer a realistic, economic alternative to continued dependence on large quantities of imported timber.

I will not read the whole letter, which concludes:

> I have full confidence in the future of the Scrimber technology and would welcome the opportunity to discuss their concerns with the experts referred to should you choose either to name them or to ask them to contact me.

We had Mr Davis shooting from the lip and being reported nationally, this intemperate attack having been reported in the *Financial Review*—an attack on a produce and process developed by the CSIRO, the licence for which has been granted to our own South Australian Timber Corporation.

Before that got off the ground, a very exciting and important development that it is, Mr Davis, for reasons known best to him, tried to sabotage it. It is clear from the letter that Mr Davis has sought information only from people and organisations who know very little about the technical development work associated with scrimber at this stage and who may be apprehensive about the final positioning of this product in the marketplace. Scrimber has potential to revolutionise the timber industry in this country by reducing our dependence on imported high cost large dimension timber from overseas.

The CSIRO has patented this development and, as outlined in the letter, has already received a number of requests from large overseas organisations indicating an interest on obtaining access to the technology involving payment of licence commitment fees and subsequent production royalties.

There are a number of other issues that have been raised by the Hon. Mr Davis and I could go through them at great length and in considerable depth, refuting them one by one. He referred to Shepherdson and Mewett, ecology management, the Victorian agency, and equity funding but, quite frankly, I do not think it is worth my time or my energy nor should I take up the time of the Council. I turn to his remarks concerning the Woods and Forests Department, and I do have to take up some time of the Council in this regard, because I lived in the South-East for a decade and I still have very good friends there. Personally, I am affronted by the behaviour of Mr Davis and by his remarks concerning Satco and the Woods and Forests Department.

The honourable member raised a number of matters that were the subject of comment by the Auditor-General in his last report to Parliament. I would like to highlight for the information of members several features of the activities of the Woods and Forests Department, because I believe that they demonstrate yet again the wild inaccuracies and the foolish and erroneous conclusions cited by Mr Davis. I refer first to the department's role in the development of the forestry and forest products industry. The State Government in South Australia has played a very significant and on-going role in the forestry and forest products industry since 1875.

The Hon. Mr Davis acknowledged the valuable role of the department as a developer of radiata forests but he omitted, conveniently or otherwise, to complete the picture by extending his comments to the innovative and visionary approaches taken by the department in the research and development of new industries and products; in fact, he inferred that this is not the role of Governemnt. I would suggest that Government has a major role to play in supporting, developing and becoming directly involved in new processes and products.

Some very significant activities have been pioneered by the department. Plantation forest management of radiata was a world first and the department continues to be regarded as a world authority. The department took the lead in the sawmilling of radiata pine. At the time, there was little interest from the private sector. There is certainly now no reluctance for this sector to become involved. Other areas worthy of note in commercial operations, where the Governemnt has taken the lead, have included laminated beam technology and production; research into timber preservation in conjunction with the CSIRO; production of finger-jointed material; water storage of radiata pine logs; and kiln drying of radiata pine. These are examples of activities where energy and expertise were committed to untried processes. They have assisted in putting the industry in its current sound position. It is a known fact that such work has assisted in replacing imported wood products by Australian grown and value-added commodities.

Regarding the commercial operations performance, the Hon. Mr Davis suggested that the department may be better off remaining a forest owner. It may be useful therefore for me to briefly outline the commercial operations. The Woods and Forests Department currently operates three sawmills in the South-East of South Australia. They are located at Mount Gambier, Mount Burr and Nangwarry. At Mount Gambier, other processing takes place, including the production of laminated beams, finger-jointed material and preservative treated products including posts. The Hon. Mr Davis's suggestion that the department's commercial operations are less efficient than its private sector counterparts are unfounded, and obviously politically based. The department operates of course—

The Hon. L.H. Davis interjecting:

The Hon. J.R. CORNWALL: Please be quiet; you really are a very annoying fellow.

The Hon. L.H. Davis: You ought to read the Auditor-General's Report.

The Hon. J.R. CORNWALL: The honourable member ought to shut up and listen and he just might learn. He is really a barnacle on the bow of prosperity and progress. The department operates, of course, under some significant constraints including that of public scrutiny. The Radiata Pine Association of Australia, an organisation set up to assist the total radiata industry in research and marketing and, I might add, with significant input from departmental officers, conducts an inter-firm comparison of production costs. Its confidentiality is maintained through using the Australian Institute of Management.

The department's performance in cost of production compares more than favourably with industry averages and in many aspects of sawmilling, kiln drying and dry milling, departmental mills are extremely competitive. Comparative figures are also maintained in relation to selling prices of finished products, stock levels and market share. In all these aspects, the department is favourably placed.

In summary, the department's total share of the radiata pine market is good, bearing in mind the recent increase in available raw material and the increased output from sawmills in the Eastern States. Market share has declined marginally in the last 12 months but is now again improving. The marginal decline related to reduced demand in South Australia in comparison to other States and to some degree a reduction in available finished products from departmental mills tied to log resources. Market share in Victoria has, in fact, improved.

The price being received for products is higher than the industry average. This is an indication of quality of product, professionalism in marketing and plain hard work. If the department is receiving prices above industry averages, there must be a range of companies selling below these prices. The department's stock control has also been good. While total industry stocks have escalated over the past 12 months, the department has been able to contain any increase in levels to less than 1 per cent of volume. I must take up some time also to talk about accounting methods. Forestry accounting is unique in that it has to account for a renewable asset which has a very long production cycle and undergoes physical change. A variety of accounting practices have evolved for forestry purposes. Prior to Ash Wednesday, the department for a number of years adopted a sustained yield method of accounting which proved suitable while the forests were considered to be within 1 per cent of sustained yield.

After the Ash Wednesday bushfires of February 1983, the department's forests were no longer in a state of sustained yield as about 20 per cent of the resource had been destroyed and was planned to be replanted over about 10 years. As a result of this, the sustained yield method of accounting was no longer applicable and a revised accounting treatment had to be introduced. The approach taken was to capitalise that portion of the re-establishment and maintenance costs that related to the replanting of fire damaged areas. In addition, a proportion of overhead costs and interest, deemed attributable to fire replant areas, were also capitalised. At this time, an annual revaluation of the forest resource was also undertaken so that the asset value would more accurately reflect the real value of the forest.

The method adopted was not seen as ideal and further investigations were carried out by a working party. In early 1986, the department became aware of work being done at the University of Waikato in New Zealand by private forestry companies, the university and other interested parties to develop a generally accepted, uniform and consistent method of accounting for forest assets and output. A copy of the report of this working party was received by the department in May 1986 and the departmental executive approved an investigation into whether the method was suitable for adoption by the department. Findings were that the method was well suited to the department's operations and it was agreed that changes be introduced for the 1986-87 financial year.

The main features of this valuation-based accounting method are an annual revaluation of the forest at market value; all forest expenses incurred in the year treated as a cost in obtaining the incremental growth in the forest; and any change in forest value in the year represents a gain (or loss) in that year. The major strengths of this method are that it is applicable to both mature and development forests; it recognises the physical growth of the forest; it recognises changing money values; it accounts for changes in the planned end-use of the forest; it enables a profit calculation which can be compared with the value of the forest to calculate a meaningful return on investment; and it eliminates the need for arbitary allocations between operating and capital expenditures.

This method of accounting is quite new and, to date, has been adopted by the Woods and Forests Department in Australia and (from a report in the July 1986 Accountants' Journal—New Zealand Society of Accountants) by Fletcher Challenge for Tasman Forestry Limited in New Zealand.

In relation to accounting standards, to date the professional accounting bodies in Australia have issued 21 standards for the preparation of accounts. It is the Woods and Forests Department's policy to comply with these standards except where compliance would result in misleading financial information or the scope of a standard excludes a part or whole of the operations in which the department is engaged.

In the preparation of its 1987 accounts, the department departed from accounting standard AAS10 'Accounting for the Revaluation of Non-current Assets' for the following reasons:

(1) The scope of the standard as defined in section 1 is '. . . within the context of conventional accounting in relation to accounting for the revaluation of non-current assets'.

The valuation-based accounting method cannot be described as 'conventional accounting'. It is, in fact, a current value basis. The department therefore considers that this accounting standard is not intended to apply in this instance.

(2) Application of the standard would have produced a misleading result. The underlying assumption of the valuation-based accounting method is that the revenue from timber harvested plus the change in value of the forest during a year can be matched against the total expenditure on the forest to determine the economic return (profit or loss). A significant portion of the economic return relates to the change in value. Exclusion of this amount would not produce a proper matching.

In relation to comparison with previous accounting methods, it is estimated that, had the new valuation method of accounting been applied in the 1985-86 accounts, the results for that year would have included a growth in forest assets of $26.5 million (1987, $28.5 million) and an operating profit before notional tax of $26.9 million (1987, $21.6 million). So much for one of the other great lies peddled by the Hon. Mr Davis.

It is estimated that, had the old method of accounting been applied in the 1986-87 accounts (after appropriate adjustment of the level of overhead and interest capitalised), the results for 1987 would have been an operating profit before notional tax of $165 000 (1986, $5.7 million).

I turn now to the Auditor-General's Report, in relation to which Mr Davis has been interjecting persistently and rudely for the past 20 minutes. Australian auditing standards require that, where there is a departure from an Australian accounting standard, the auditor should refer to the departure in his report and express an adverse or exception opinion. I do not know how much Mr Davis knows about audit, but he should at least, with his paper qualifications, know the difference between an adverse opinion and an exception opinion.

An exception opinion is issued when the auditor concludes that an unqualified opinion cannot be issued but that the effect of any disagreement, uncertainty or limitation on scope is not so material as to require an adverse opinion or a disclaimer of opinion.

An adverse opinion is issued when the effect of a disagreement is so material and pervasive to the financial statements that the auditor concludes that an exception opinion is not adequate to disclose the misleading or incomplete nature of the financial statements.

In the case of the Woods and Forests Department's accounts, the Auditor-General issued an exception report. The Auditor disagreed on one point—the treatment of the incremental value of the forest as operating income. He fully supported the revaluation of the forest.

The Hon. L.H. Davis interjecting:

The Hon. J.R. CORNWALL: You will never learn enough. You have attempted to destroy the good name and reputation nationally of Satco and the Woods and Forests—

The ACTING PRESIDENT (Hon. T. Crothers): Order! It would be folly for members of this Council to think that the new boy is to be tested. I am calling members to order, and I ask them to cease interjecting and permit the Minister to continue speaking without interjecting.

The Hon. J.R. CORNWALL: In a letter sent to the Director subsequent to the audit, the Auditor-General stated:

The accounting treatment of this matter is not a simple one and there are differing—

The Hon. L.H. Davis interjecting:

The Hon. J.R. CORNWALL: You should be really proud of yourself. The Hon. Mr Davis has taken it on himself to destroy the good name and reputation of Satco, to attempt to destroy the good name and reputation of the South Australian Woods and Forests Department, to destroy the

good name nationally and through the columns of the *Financial Review* of the scrimber project, and he has taken on CSIRO; but all he can do is sit there like a parrot saying, 'What about the Auditor-General?' What sort of performance is it? He reminds me of a certain well known former politician in Memphis. At this stage he really is caught in a position which is, to say the least, embarrassing. He has carried on, for base political purposes, this so-called assistant shadow Treasurer or whatever role he plays—

The Hon. C.J. Sumner: Shadow Deputy.

The Hon. J.R. CORNWALL: Shadow Deputy indeed! He is also the self-appointed Deputy Leader of the Opposition in the Council, a position which does not exist.

The Hon. C.J. Sumner: Never heard of it.

The Hon. J.R. CORNWALL: Never heard of it; it does not exist.

The ACTING PRESIDENT: Order! I again call on honourable members to cease interjecting—the Hon. Mr Davis and others—otherwise they may have ejections instead of elections.

The Hon. J.R. CORNWALL: Thank you, Mr Acting President. I am reflecting on the various positions of the Hon. Mr Davis, discreditor and knocker extraordinaire. He has a national reputation as a knocker of South Australia. He has the distinction of getting himself in the national press, knocking and knocking. What is he in fact? What is he in truth? The shadow Deputy Treasurer and the Deputy Leader—a non-existent position in the Upper House. I had the misfortune to spend three years on the front bench in Opposition, and I know a little bit about this. There is no such position as Deputy Leader of the Opposition in the Upper House. The Hon. Mr Davis does not need a title to use Mr Cameron's white taxi. They all use it. He does not need a phoney title. I know how hard it was to get to use the white taxi when the Hon. Mr Sumner was Leader of the Opposition.

I conclude by saying that the Woods and Forests Department has not lost sight of its great strength as a forester and its great tradition in South Australia and in this country as a forester, nor has it lost sight of the need for a strong and healthy processing industry in this State to support appropriate utilisation of this very valuable State resource. In summary, the Government does not support the member's call for the establishment of a select committee for the following reasons.

The Hon. M.B. Cameron interjecting:

The Hon. J.R. CORNWALL: I don't need too much prompting when it comes to the timber industry. I lived and thrived in the South-East for a decade. I had a lot of very good friends and a lot of very good clients. We do not support the establishment of a select committee for the following reasons.

First, recent statements by the member in this House represent a series of ill-founded conclusions on his part, I assume, based upon some scant research in a frantic attempt to embarrass the Minister and the Government in respect of an issue which has been of concern to us all in recent months. The Government, to its credit, acted promptly in obtaining appropriate advice from a well-respected firm of consultants and, in concert with executives of the corporation and companies concerned, has acted to implement the recommendations contained in the business plan they prepared.

The Hon. L.H. Davis interjecting:

The Hon. J.R. CORNWALL: Well, you were on a bum steer, mate. You ought to check your sources. You don't want to believe every anonymous titbit that comes through the mail.

Secondly, the Hon. Mr Davis has already caused considerable damage to the good reputation of these companies. He should be ashamed of himself. Customers and employees alike have all expressed concerns—and listen to this; just be quiet for one moment instead of acting like a professional parrot—about future supply and employment arrangements. Coming at a time when we are asking these firms and individuals to support us even more strongly could not have been worse. The timing is appalling.

The Government has taken appropriate advice as I have indicated, and that advice recommends trading-on will provide an appropriate return on the Government's investment within three years. A select committee would prove nothing more and has potential to do considerable further damage, particularly as the honourable member proposes that a select committee be authorised to disclose or publish, as it thinks fit, any information presented to the committee prior to such information being reported to this House. That is outrageous, of course. As I said, it is fortunate that the Attorney has an amendment on file, and, in the event that this unfortunate proposed committee proceeded, there would be some amelioration.

However, Mr Davis is interested only in going on a political witch-hunt to further try to besmirch the good names of Satco and the Woods and Forests Department. I have not, of course, canvassed those issues for obvious reasons, but they are the main thrust of the member's motion, and our legal advice indicates that the corporation's best interests would not be served by becoming involved in public discussions which would undoubtedly provide defending parties with access to information which should not be available to them. The Government, my colleagues and I, oppose the select committee proposal.

The Hon. C.J. SUMNER (Attorney-General): I do not wish to traverse the merits of the issue which has been dealt with by the Hon. Mr Davis and the Hon. Dr Cornwall, on behalf of the Government. However, I do wish to address the last issue that was raised by the Hon. Dr Cornwall, namely, the situation that could pertain if this select committee is established and if, in being established, the committee has the power to make public, automatically, any evidence or documents that are presented to it.

It has become the custom in this Council, when establishing a select committee, to authorise the committee to publish evidence. That is a position which I generally support and have supported—

The Hon. C.M. Hill interjecting:

The Hon. C.J. SUMNER: Yes, I did.

The Hon. C.M. Hill: You introduced that.

The Hon. C.J. SUMNER: That is quite right. I am saying that I support it as a general principle. However, in this case I think that extreme care must be taken. In the first place, the inquiry is being sought into certain commercial dealings that Satco has entered into (that is, a specific suggested term of reference of the select committee), as well as an analysis of the current financial position, its production, distribution and marketing policies and practice. It could, of course, be incredibly damaging if, for instance, Satco were to provide to the select committee confidential commercial information about its interest in IPL, or if it were to give evidence on its distribution and marketing policies and practices, as this may give its competitors advance warning of what it may be involved in.

I do not believe that anyone with any commercial experience, and certainly not the Hon. Mr Hill, would countenance such a risk to a Government enterprise that is involved in a commercial operation. Certainly, I am sure that the

Hon. Mr Hill would not want his competitors in business to be given an open, forewarning of any particular initiative that he might want to take. For that reason, we must move with great caution in the publicity that is given to the evidence that is taken by the committee or in the documents presented to it.

The Hon. Mr Elliott has moved certain amendments which change the terms of reference to some extent, and I do not want to address those here. We do not believe that the select committee is necessary. However, on this particular point of commercial confidentiality the Hon. Mr Elliott has moved that the proposal of the Hon. Mr Davis to 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 should be deleted, and that would mean that Standing Order 398, which governs this matter, would operate. It would prevent the disclosure of the evidence until the committee reported back to the Council. I move my amendment, as follows:

Leave out paragraph III and insert in lieu thereof the following:

III. In making the said inquiries publication of any evidence taken by, or any documents presented to the committee including the tabling of such evidence and documents in the Council shall be prohibited unless specifically authorised by the Council.

My amendment takes the matter one step further and says that the evidence and the documents ought not to be tabled in the Council without the specific authorisation of the Council. That provides to the Council a failsafe mechanism to ensure that, if the evidence is to be tabled in full or in part, or if the documents are to be tabled, the Council acting as a whole Council has the ultimate authority on what should be tabled. Of course, that does not prevent the committee reporting. It can report, but it cannot table the evidence unless it gets the Council's authorisation.

If my amendment is carried, I anticipate that the committee would prepare its report unanimous, majority, minority or whatever—and table it and, at the same time, would consider a recommendation to the Council as to what evidence or documents could properly be tabled along with the report. Then, the Council could consider that when the matter came back as a report.

The first reason I gave for that was the commercial confidentiality and the commercial nature of the transactions that were being inquired into. The second reason is that legal proceedings are afoot at present in the Australian Federal Court whereby certain directors of Wincorp (I think that is the company that was the predecessor of IPL) are being sued in that court.

Obviously, one would not want evidence that might prejudice that case from Satco's point of view tabled in Parliament and available to the defendants in the case. That is, therefore, another reason for the safeguard. In any event, the general principle of *sub judice* ought to apply, and those issues ought to be considered by the select committee before it returned to the Council with its report and evidence. In the particular circumstances of the case, that seems to me to be not an unreasonable position to put.

The final comment I make is that members are familiar with, and some of them have served on, the Industries Development Committee. No evidence from that committee is made available to the Council: it is all confidential, for the good reason that companies operating commercially come to the committee and bare their souls in putting forward propositions seeking support from the Government. It would be quite intolerable if their commercial position was laid open to the public and their competitors to see and thus have them placed in a disadvantageous position in the market.

Similarly, I would say that Satco could be placed in a disadvantaged position commercially by the disclosure of certain evidence relating to its commercial operations. The precedent of the Industries Development Committee is a reasonable one. That committee deals with sensitive commercial material. It does not make that evidence available to Parliament, and even its reports are not available on all occasions. Generally, the recommendations of that committee are available, but the evidence is not available.

I am not going that far with this inquiry. All I am saying is that, as a failsafe mechanism, to ensure that the Council is aware of what evidence is being tabled, the Council should support my amendment, which will ensure that, when the committee returns with its evidence and its report, with the documents that have been given, the Council will then be able to say, 'Yes, this evidence can be tabled and this evidence ought not to be tabled.' I commend the amendment to the Council.

The Hon. L.H. DAVIS: I thank honourable members for their contribution to the debate, which is a matter of public interest. We had a fairly typical knock-about performance from the Hon. John Cornwall, who tried desperately in his fairly usual rhetorical fashion to divert attention from the facts. He was stretching a long bow when he argued that great concern was being expressed by employees and associates of the South Australian Timber Corporation, the Woods and Forests Department, that this matter had actually been raised.

I wish to raise the point that seems to have totally escaped the Government in this debate, that is, that the taxpayers of South Australia have every right to be concerned, because we have an extreme situation that has not been commented on in any way in the very weak rebuttal by the Hon. John Cornwall. I point to the fact that the South Australian Timber Corporation was unable to pay interest of $1.6 million to the South Australian Financing Authority (SAFA) in 1985-86 and was again unable to pay a greater sum of $4.3 million in 1986-87. As a result of the corporation's inability to pay its growing interest burden to SAFA, this deferred liability interest was capitalised.

On any analysis of the accounts of the South Australian Timber Corporatioon, it would have to be declared bankrupt. At 30 June 1987 it had an accumulated deficit of $3 million. It has recorded a loss in each of the past five years. Its loans from SAFA have ballooned from $4.5 million in 1983-84 to a massive $37 million in the year just ended. Yet the Hon. John Cornwall has the temerity to attack the Opposition in this Chamber for daring to raise this matter, which must be of the gravest public concern.

He then had the gall to attack the Opposition for daring to raise the accounting practice adopted by the Woods and Forests Department, which saw it report a profit of $11 million for the 1986-87 fiscal year instead of a loss of $6.9 million if it had adopted what are regarded as accepted accounting standards.

He sought to cast a veil over what the Auditor-General said. For the benefit of the Hon. John Cornwall I will quote what the Auditor-General said at page 210 of his comprehensive report which was tabled in Parliament last month. The Auditor-General said:

The method adopted departs from current Australian accounting standards and my report is qualified accordingly.

That is not surprising, because what the Woods and Forests Department has done is to revalue the forest. No-one disagrees with revaluation of the forest; there is no disagreement with that at all. However, instead of leaving that revaluation in the balance sheet, it has been transferred to

the profit and loss account and treated as a profit. We would have a wonderful time if businesses were allowed to do that. I suspect there are not too many private sector forests in Australia that would get away with that sort of treatment of their accounts. It seems that every time something goes bad in the Woods and Forests Department and the South Australian Timber Corporation there is either a change in accounting standards or less information is provided.

I repeat the allegation I made when I first addressed this motion on 9 September, namely, that the South Australian Timber Corporation's annual report is a disgrace. It contains less information, financial and otherwise, than that of any other statutory authority or public company of a comparable size that I have ever seen. It is an absolute disgrace and I stand by that comment. I believe if one asked any reputable accountant in South Australia they would concur.

There has been no rebuttal of the many points that I made in my opening remarks, no rebuttal about the fact that so many of these ventures, joint or otherwise, that Satco has entered into have fallen over or been less than a success. I refer to the visy-board joint venture which has disappeared; the Ecology Management Pty Ltd saga stretches for annual report after annual report leading nowhere; the Shepherdson and Mewett fiasco of paying $1.3 million for a secondhand circular saw which was brought in from overseas several months ago and nothing has happened to it; and the matter of scrimber.

I will tackle the matter of scrimber head on. I will not hide from the allegations that I made about scrimber. I respect the point of view that was put forward by Dr Hewertson of the CSIRO. I would expect him to stand by the process of scrimber which was developed by the CSIRO and I would be surprised if he had changed his views; that would be a natural human reaction. But what the Minister did not answer in his argument were the following questions: was any private sector company offered scrimber, and rejected or accepted it; is it really competitive with other projects; is it going to be a superseded technology; and (most important of all and the real crunch of the argument on scrimber) why should a Government institution funded by taxpayers' money be taking on a new technology?

The Hon. C.J. Sumner: Why shouldn't it?

The Hon. L.H. DAVIS: Look at the track record of the South Australian Timber Corporation; it has not exactly had a shining track record in its previous investments. I listed a series of them that had been less than successful, and now there is a $23 million or $24 million investment in scrimber which may well prove to be an attractive proposition. But I am simply saying that from the philosophical point of view the Liberal Party does not believe that it is in the taxpayers' interest to take on technology of this nature.

The Hon. J.R. Cornwall interjecting:

The Hon. L.H. DAVIS: The Hon. John Cornwall is now saying that Satco is the only operation in Australia that is capable of mounting the development of the scrimber process. That is quite clearly ludicrous.

The Hon. J.R. Cornwall interjecting:

The Hon. L.H. DAVIS: We will find out about that in more detail. I will not carry on at length now; the debate is at an end. However, I want to refer to the Auditor-General's Report and specifically the Auditor-General's rebuttal of information given by the Minister of Forests, Mr Abbott, in another place as late as yesterday. In relation to the IPL deal, the Auditor-General made the point that the South Australian Timber Corporation was twice warned that it should obtain further information before it bought Aorangi Forest Industries, the New Zealand timber firm.

Mr Sheridan, in a letter to the Speaker in another place, Mr Trainer, said that Allert Heard and Company, a well respected firm of chartered accountants, had reported to the Government on 28 November 1985 saying that it was unable to give assurances on matters involving AFI relating to the marketing and production of plywood. Allert Heard recommended that the Government should seek further advice.

In a further letter of 13 December these matters and the need for the corporation to obtain advice was again referred to. They questioned the way in which AFI had revalued its fixed assets to increase the capitalised value of the company. The Auditor-General's Report showed that the chartered accountants firm of Allert Heard certainly had not reported on the viability of the joint venture and had expressed concerns on various matters.

I recognise that the IPL purchase is subject to the *sub judice* rule, but nevertheless it does not preclude this Council from noting the fact that already the operation in Greymouth is in deep trouble. Inquiries by me through several sources in New Zealand reveal that people both within the timber industry and also within the region fell about with amazement at the fact that the South Australian Government had actually purchased this mill given that the timber was coming in from the Nelson area, being processed in Greymouth and then railed out to Christchurch with enormous transport difficulties, disadvantages of transport costs and disadvantages in comparison to the mills of the north island–all sorts of problems which were noted at the time of the purchase and have since been revealed in the Auditor-General's Report.

Enough of that; I refer finally to the amendments on file proposed by both the Hon. Michael Elliott, whose contribution I value, and also the Hon. Chris Sumner. First, I will accept the amendments proposed by the Hon. Michael Elliott to delete subparagraphs *(b)* and *(d)* because, in my view, the motion is so wide as to allow the committee to do that anyway; the select committee will be appointed to inquire into and report on the effectiveness and efficiency of the operations of the South Australian Timber Corporation with particular reference to the interest in IPL, the current financial position and other related matters. So the effectiveness and efficiency of operations quite clearly gives the select committee the power to examine the South Australian Timber Corporation *in toto.*

The other point which is a source of contention and on which there are two amendments on file is the third section of the motion. I had proposed that the Council should 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. Both the Hon. Chris Sumner and the Hon. Michael Elliott have expressed reservations about, in fact outright disagreement to, that proposition. It is a normal part of the motion which establishes a select committee in this Council. I accept there is a *sub judice* matter involved, but committees of the Council in the past have always acted properly and in my eight years in the Council have never abused the responsibility given to them.

In fact, I think members of all political persuasions would agree that some of the most valuable work is done within the select committee process. The fact is that the motion as I proposed would permit the disclosure or publication by the committee of evidence as it thinks fit. Quite clearly, that gives the committee, which is processing and distilling the evidence and examining the documents, power to take

into consideration any matters which may be *sub judice*. The fall-back provision, suggested by the Hon. Michael Elliott, was to delete paragraph III in the motion, which of course would immediately trigger the operation of Standing Order 398, which provides:

> The evidence taken by any committee and documents presented to such committee, which have not been reported to the Council, shall not be disclosed or published by any member of such committee or by any other person, without the permission of the Council.

I accept that that is a more desirable course than the one proposed by the Hon. Mr Sumner which, in my view, is much more restrictive. I accept the points that the Hon. Mr Sumner is making, but it might well mean that the Council could soldier on for six months and then, through weight of numbers, nothing sees the light of day because nothing would be tabled.

The Hon. C.J. Sumner interjecting:

The Hon. L.H. DAVIS: The difficulty is that it is the committee that gathers the evidence and examines the documents. I would have been happy to leave that in the hands of the committee. The Attorney-General is not happy with that, and he has his reasons. I do not agree with them but I accept, whichever way the cookie crumbles, the original proposal in clause 3 will certainly not carry the day.

Subparagraphs *(a), (b), (c)* and *(d)* negatived.

New subparagraphs *(a), (b)* and *(c)* inserted.

Paragraph III negatived.

New paragraph III inserted.

The Council divided on the motion as amended:

Ayes (12)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis (teller), Peter Dunn, M.J. Elliott, I. Gilfillan, K.T. Griffin, C.M. Hill, J.C. Irwin, Diana Laidlaw, R.I. Lucas, and R.J. Ritson.

Noes (9)—The Hons G.L. Bruce, J.R. Cornwall, T. Crothers, M.S. Feleppa, Carolyn Pickles, T.G. Roberts, C.J. Sumner (teller), G. Weatherill, and Barbara Wiese.

Majority of 3 for the Ayes.

Motion as amended thus carried.

The Council appointed a select committee consisting of the Hons T. Crothers, L.H. Davis, M.J. Elliott, R.I. Lucas, Carolyn Pickles, and T.G. Roberts; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 25 November.

LOW INCOME HOUSING

Adjourned debate on motion of Hon. M.J. Elliott (resumed on motion).

(Continued from page .)

The Hon. C.M. HILL: I indicate that I am now ready to proceed with my amendment. I move:

In paragraph 1, to leave out all words after 'matters'.

The Hon. M.J. ELLIOTT: In view of the lateness of the hour, I will not take up much of the Council's time. We are moving into times when it is becoming increasingly difficult for people on low incomes to get a roof over their head, despite the best attempts of Government and the community generally. All indications are that the situation is deteriorating. I am pleased that the Opposition has indicated a willingness to support the appointment of a select committee—I hope that it proves valuable in considering the matters that come before it.

Amendment carried; motion as amended carried.

The Council appointed a select committee consisting of the Hons Peter Dunn, M.J. Elliott, C.M. Hill, Carolyn Pickles, G. Weatherill, and T.G. Roberts; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on 25 November.

CHLOROFLUOROCARBONS BILL

Adjourned debate on second reading.

(Continued from 14 October. Page 1144.)

The Hon. PETER DUNN: The introduction of this Bill by the Hon. Mike Elliott reminds me of a motor car that has its timing wrong and will just not start—what has happened is that the Bill has been introduced far too early to achieve the effect that the honourable member wants to achieve. Having read a considerable amount about the problem that he is trying to avoid by introducing this Bill, I have sympathy for him.

He is trying to avoid a reduction in the ozone layer so that we do not get over-heated from ultra-violet light and we can reduce the incidence of skin cancer. I, probably more than most members in this Council, suffer from skin cancer, so that should be to my advantage and I agree with it. It is not clear that this Bill will achieve that effect without causing enormous disruption to the rest of our society mainly to those things that we use to keep cool, such as refrigeration.

The Hon. M.J. Elliott: My proposed regulations will not interfere at all with refrigeration.

The Hon. PETER DUNN: I agree with the regulations, but I am talking about the Bill, which provides:

> 3. A person shall not—
> *(a)* manufacture an aerosol spray in which chlorofluorocarbons are used as a propellant;

That cuts it out. Paragraph *(b)* provides:

> sell any such aerosol spray manufactured after the commencement of this section. Penalty: $10 000.

That is a fairly heavy fine—in fact, it is draconian. The Bill further provides:

> 4. A person shall not—
> *(a)* manufacture any goods in which chlorofluorocarbons are used as a refrigerant;

I make clear that today chlorofluorocarbons, particularly CFC11 and CFC12, are used in about 99 per cent of refrigeration for cars, refrigerators and deep freezers. If that were to be removed from the market, what will we use? There are three alternatives. We can return to carbon dioxide; we can return to sulphur dioxide, or we can go back to ice. It would be crazy to go back to the Ice Age and that is what this Bill does.

The Hon. M.J. Elliott: Why are you ignoring the proposed changes?

The Hon. PETER DUNN: I am not ignoring the proposed changes: that is what the Bill says. It provides for a fine of $10 000 if you so much as sell or manufacture one, so I do not think that I could agree to that and, nor could the Liberal Party, when it would cause so much disruption to the world.

As members know, about 700 000 tonnes is made throughout the world each year and I must admit that that is a considerable amount, but there is an enormous amount of refrigeration plant throughout the world, particularly in automobiles. To give an indication of how much this is being used, production of aerosols using CFCs has decreased by 70 per cent since 1974, so the industry is trying to correct it and it is being used only—

The Hon. M.J. Elliott: It is still one-third of all CFCs in Australia.

The Hon. PETER DUNN: Yes, but mostly they are aerosols which people spray on themselves; for instance, hairsprays and sprays that are used for the treatment of sunburn, and so on, where an inert substance is required, and these are very inert substances. The industry has reduced the use of CFCs in that form. A document that I have states:

Refrigeration: Research for alternatives continues but no replacement can be reasonably expected inside 5-15 years.

The Hon. M.J. Elliott: Who told you this?

The Hon. PETER DUNN: This comes from the industry.

The Hon. M.J. Elliott: That comes from Monsanto, which manufactures CFCs, so you have to be careful who you quote.

The Hon. PETER DUNN: I would have thought that it would be the company to discover the new chemicals to be used and, if it says five to 15 years, it might happen to be 15. The document further states:

If CFCs were banned, pre-1930 technology based upon ammonia, sulphur dioxide and carbon dioxide would need to be recalled.

As I mentioned, so would ice; we would go back to the Ice Age.

The Hon. M.J. Elliott: Dimethyl, or DME—a plant is being built in Sydney right now to manufacture the stuff. It's an alternative.

The Hon. PETER DUNN: That is a halogen, anyway.

The PRESIDENT: Order! Repeated interjections are out of order and I ask the speaker to address his remarks to the Chair.

The Hon. PETER DUNN: Thank you, Madam President, for your protection, but I do not really need it from the Democrats.

The PRESIDENT: You do need to address your remarks to the Chair.

The Hon. PETER DUNN: Yes, Madam President, I am addressing my remarks—I am looking you right in the eye as I say so.

The PRESIDENT: A minute ago you were not looking at me. You addressed the Hon. Mr Elliott and looked at him.

The Hon. PETER DUNN: However, foam plastics need careful attention. Like aerosols and fire extinguishers, they are major halogen polluters. However, the amount that they release is relatively small. I think that there is a good case for having the product of BCF extinguishers (and I refer to the true halogen extinguishers), when it serves its life, recovered and placed in a new container. I agree wholeheartedly with that suggestion. I further agree with what the Hon. Mr Elliott is trying to achieve, but he has just got his timing wrong, because Australia is endeavouring to meet the protocol that was established at the Vienna Convention by the World Health Organisation which advised the United Nations that we should cut down on the use of these products. However, as I have explained, at the moment there are no alternatives and we need a little lead time for that.

I will explain why I do not think it is quite as clear cut as the Hon. Mr Elliott says. In his second reading explanation he said that these chemicals are totally destroying the ozone layer, and he made particular reference to the hole that has developed in the ozone layer over the South Pole. It is interesting to note that on 19 October *Time* magazine produced quite a lengthy article.

The article is headed 'The heat is on', and I shall quote some extracts from it. In essence, the article indicates that we must cut back on the use of chlorofluorocarbons, and it also puts up the argument that it is not clear that chlorofluorocarbon is doing all the damage. In fact, the article indicates that a number of other products are reducing the size of the ozone layer. The article states:

Last month, Barney Farmer, an atmospheric physicist at the Jet Propulsion Laboratory in Pasadena, California, announced that his ground based observations as a member of the 1986 Antarctic National Ozone Expedition pointed directly to a CFC ozone link. 'The evidence isn't final,' he said.

So, he is indicating that it is not conclusive that that is what has caused the damage. Another scientist, Dr Rowland, has said that another ozone killer is methane, the carbon hydrogen compound produced by microbes in swamps, rice paddies and in the intestines of sheep, cattle and termites—and I suspect the Democrats. So, unwittingly, the Hon. Mike Elliott is probably contributing to the diminution of the ozone layer. A further article indicates that termite mounds in Australia are prolific producers of methane gas and that a number of other decaying products produce methane, which causes a cutback in the ozone layer.

Dr Robert Watson, a NASA scientist, refers to the ozone layer problem, as follows:

We can forget the solar theories. We can no longer debate that chlorine monoxide clouds of ice particles . . . in the polar stratosphere. Mostly you don't get clouds in the stratosphere because most of the water has been frozen out earlier. However, if the temperature gets low enough you start freezing out the rest. Indeed, ice may prove to be the central cause of the ozone hole, since it provides surfaces for a kind of chemistry only recently associated with reactions in the atmosphere. In a gaseous state, molecules bounce around and eventually some hit one another, but adding a surface for the molecule to collect on speeds up the reactions considerably. It is not yet clear whether the ozone depletion in the Antarctic is an isolated phenomenon or whether it is an ominous warning sign of a more slowly progressing ozone destruction worldwide.

So, in relation to the depletion of the ozone layer, that is another indication that it is not clear that it is just CFC's that are causing that diminution.

The arguments put by the Hon. Mr Elliott have some legitimacy, but they are not conclusive enough for this State to go ahead, without being joined by any other State, and impose fines of $10 000 if someone were to sell a product containing CFC, manufacture or sell a refrigerator, or vent off CFC into the atmosphere. The Hon. Mr Elliott's proposed amendments have given us a totally new Bill, and I am surprised that the President has accepted these amendments. The Hon. Mr Elliott proposes to introduce these changes by regulation, and all members know that regulations can become very dark and hideous. In fact, the amendments do not state what we will do with CFCs and provide that a person must not contravene or fail to comply with a requirement for the regulation relating to the design, manufacture, sale or supply, servicing, or the disposal of goods in which CFCs are used as a refrigerant.

The Liberal Party does not agree that it is the right time to introduce this Bill. Should the Democrats wish to introduce a Bill such as this when the Federal Government has signed the protocol, agreed to it and passed the legislation, so that we can act as a nation, I would agree with it. However, there is presently no suitable substitute for CFC. One only needs to think of the millions of air-conditioners in motor vehicles. They would be the worst polluters and have to be recharged once a year because the seals in the compressors have not been perfected, unlike the sealed units in refrigerators and freezers. Car air-conditioning units leak gas, and so do the rubber hoses that convey the gas and liquid around in the refrigeration process. If CFC is banned, what will it be replaced with? Thousands of motor vehicle air-conditioners need to be recharged with some refrigerant, and one has not been invented. It is naive to think that CFC can be banned and that these fines can be introduced here and now. I, and the Liberal Party, do not support the Bill.

The Hon. M.J. ELLIOTT: There is a great deal of misunderstanding about some of the issues, and I suppose it is one of the problems that Parliament does not have enough people with scientific understanding so that they can examine these issues and advise the rest of their Party on them. The honourable member said that the timing is wrong. I often wonder why, in this place, we are always in a reactive mode: why Parliaments always wait for something to go wrong before they act. Why can Parliaments not foresee the problems—whether environmental, social, or whatever else—pick up the warning signs and try to avoid them? That is what this Bill is all about. The warning signs are clear. This Bill is about picking up those warning signs, because the outcome, if the warning signs are correct, is extremely grave.

In terms of timing it is incredibly dangerous for us to wait for other people to act. As the honourable member said, the protocol has not been signed. The Australian Government has been slow in signing quite a few protocols. Of course, even signing the protocol is no guarantee that any real action will occur. When contact was made with the Federal Minister's office to check on some of the details of the protocol, they could give us none because they did not know what was involved.

It is very dangerous to always wait for other people to do something and avoid taking action yourself. Four nations have acted on aerosols. The United States, Norway, Canada and, most recently, West Germany have all banned the use of CFCs in aerosol cans. In fact, the United States banned the use of CFCs a decade ago. Exemption is permitted by regulation, so they are used in a limited number of aerosols, and in some aerosols there is no choice but to use CFCs. The Bill before the Council recognises that fact and allows exemption by regulation where there is a demonstrable need to use CFCs.

I do not say that CFCs should not be used. The current world usage of CFCs and their release into the atmosphere is a matter of some concern. I recognise that the Bill as originally drafted and circulated in relation to refrigerators and refrigerated air-conditioners had real problems. I attempted to solve them by an exemption clause. On further reflection and in consultation with other persons, I recognised that there was another way to go.

The danger is not the use of CFCs but their release into the atmosphere. The proposed regulations that I circulated for refrigerators and refrigerated air-conditioners accept that, in the short term, CFCs will be used for refrigeration purposes. However, the regulations aim to control the design of refrigerators so that models can be designed to make leakage less likely. There is no suggestion that such a design would result in a massive increase in the price of refrigerators.

By regulation, the servicing of refrigerators and air-conditioners can be controlled. When a service person comes to re-gas a unit, he bleeds the gases and releases them into the atmosphere, as happens with small refrigerators in homes and refrigerated air-conditioners in cars, before it is re-gassed. With large commercial refrigerators, the practice now is to retract the CFCs so that none is lost, because it is a relatively expensive product. By regulation, the Government could require servicemen to make every reasonable attempt to capture the CFCs so that they did not escape. That would have handled that problem.

Finally, another regulation concerned disposal. When a refrigerator finally dies of old age, an attempt should be made to ensure that it is degassed. The suggested regulations should have been able to cope with a very large percentage of the current CFC loss into the atmosphere. I would have thought that that was not an unreasonable step to take and that it would not put South Australia at any economic disadvantage. It is just plain good sense and would set an example for other States and nations to follow.

The honourable member also quoted a scientist who said that he was was not absolutely certain. Any honest scientist is not 100 per cent certain about anything. Any person who is trained in the philosophy of science will admit that there is never a 100 per cent certainty. Every penguin that I have seen is black and white, but I would not say that I am convinced that every penguin in the world is black and white, because tomorrow I may see one of another colour. That is a rather simplistic example, but it illustrates that a person can never be 100 per cent certain about anything.

The longer a theory stands, the more it is tested and the more certain one can be of it. This is a relatively new theory, so any honest scientist can say that he has doubts. The vast majority of scientists who work in this area suggest that the weight of the evidence points very strongly that way. The scientist is responsible to express the possibility that there are alternative explanations for the decline in ozone.

On the matter of the ozone hole and talking about the various mechanisms, what members have failed to grasp is that this mechanism which related to fine ice particles forming in the upper stratosphere did not suggest that CFCs had nothing to do with it. All it suggested is that the mechanism by which CFCs and other substances might have broken down the ozone is different over the Antarctic and possibly over the Artic to what it is elsewhere in the atmosphere.

There has been a decline world-wide in ozone of about 4 per cent to 6 per cent over the past 15 years, but there has been a much more dramatic drop over the polar caps. The suggestion is with such a dramatic decline that there is a second mechanism acting, and that second mechanism may relate to the formation of very fine ice particles which allow certain chemical reactions to occur there which do not occur elsewhere. Nowhere would that scientist have really been suggesting that it was the ice itself that was doing it. The ice was in fact acting as a catalyst to make the reactions occur in those places far more rapidly.

I must stress that we are in the middle of an experiment. It is a very large experiment and involves the whole earth. It is an interesting experiment, but do we just simply sit back and watch what happens, because that is really what we are doing by saying, 'Let's wait and see.'

The Hon. M.B. Cameron: We'll be here after midnight, the way we are going.

The Hon. M.J. ELLIOTT: No we will not, or I will not be. Many of the matters concerning environmentalists are of a global scale. Unfortunately, there has not been sufficient appreciation of the sort of experimentation in which humanity is now involved. We would like to believe that we are not having grave effects upon the biosphere, that part of the earth in which we live, but indeed the evidence is increasingly that we are. Unfortunately, both the Government and the Liberals have indicated they will not support this Bill. I suggest that they have displayed short sightedness, that they have displayed a willingness to bury their heads in the sand, to pass the buck and not be willing to take on the issues but remain in the reactive mode which is so typical of people in politics. That is most unfortunate. I urge members to reconsider, but I am realistic enough to know that they will not. I urge support for the Bill.

Second reading negatived.

LONG SERVICE LEAVE BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

PUBLIC EMPLOYEES HOUSING BILL

Received from the House of Assembly and read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Government has assessed the management of employee housing throughout the Public Service through the 1981 report on Country Housing for Government Employees and the 1985 Interim Report of the Working Party on a Single Government Employee Housing Program.

Both of these reports raised concerns over difficulties with the management of housing stock including variable standards, poor control of vacancies, inconsistent rent policy, and lack of co-ordinated financial information. The Government has decided to address these issues through the formation of a Single Authority responsible for co-ordination and integration of the State's total Government employee housing program.

The Office of Government Employee Housing has been established as a branch of the Department of Housing and Construction, under the direction of the Minister of Public Works. The goals of the Office are:

— to provide equitable housing assistance to eligible Government employees so as to remove housing related impediments to the provision of Government services.
— to effectively allocate housing assets in recognition of tenant, agency and total Government need and resources.
— to purchase, construct and maintain quality housing efficiently.

Housing for teachers is presently provided under the Teacher Housing Authority Act 1975.

To complete the transfer of responsibility for all Government employee housing programs, it is now proposed to dissolve the Authority and transfer its property, rights and liabilities to the Minister of Public Works, to wind up the fund and transfer money standing to its credit to the General Revenue of the State, and to repeal the Teacher Housing Act 1975.

It is also proposed to preserve the accrued rights of the employees of the Authority who have become Public Service employees.

In addition the Bill also makes provision for the on-going operations of the Government employee housing programs.

The Bill allows the Minister to provide housing to public employees, to determine the employees to whom accommodation is provided under the Bill, and to determine the terms on which the accommodation is provided, including rent and other charges.

Provision is also made for rent and other charges payable for accommodation to be deducted from the employee's renumeration.

As the House is aware, the Government has established the Office of Government Employee Housing to improve the management of the Government employee housing stock, and your support for this Bill is therefore anticipated.

Clauses 1 and 2 are formal.

Clause 3 defines the category of employees who will benefit from the provision of housing under the Bill.

Clause 4 empowers the Minister to provide housing to employees.

Clause 5 is a regulation making provision.

Clause 6 repeals the Teacher Housing Authority Act 1975.

The schedule sets out transitional provisions in relation to the repeal of the Teacher Housing Authority Act 1975.

The Hon. M.B. CAMERON secured the adjournment of the debate.

BUSINESS FRANCHISE (PETROLEUM PRODUCTS) ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's message.

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

That the Legislative Council no longer insist on its amendments and suggested amendment.

The Committee will recall that this Bill deals with the petroleum products business franchise levy. The suggested amendment from this Council which is in dispute seeks to ensure that half the money raised from this levy should be specifically allocated to the Highways Fund. The issues have been debated previously. The Government firmly believes that it is part of its budget strategy that it should be able to make decisions as to the appropriate allocation of revenue raised and take the consequences at the appropriate time if the people of South Australia disagree with the priorities that the Government has placed on its spending.

It would create major problems if this Council insisted on its suggested amendment for the Government's budget which we are presently debating. I ask the Council to not continue to insist on the suggested amendment which it made to the House of Assembly, and which has now been rejected by another place. The House of Assembly is the place where the Government is formed and where money Bills are introduced. It is the House with the principal role in financial matters.

The Hon. M.B. CAMERON: I think the Attorney-General has got somewhat mixed up in this whole argument about the Bill. He keeps bringing the whole discussion back to this year's budget but, of course, these amendments have absolutely nothing to do with that. I hope that another place, in discussing this matter, clearly understood that, but I wonder whether, when the Attorney does not understand it, members in another place understood it.

When this matter first came before the Parliament the Government had no choice as to whether the money went into the Highways Fund or into general revenue, because that was a clearly laid down principle. As I have said, I do not want to canvass the whole issue again but, as a result of this provision, we will get back to a 34 per cent contribution, which is a long way from the 100 per cent guaranteed by the Minister who first introduced this measure into Parliament as a replacement for the ton mile tax.

The Opposition is extremely disappointed that a very sensible amendment put forward to cover future budgets—not this budget—to ensure that the roads of this State are properly looked after has been rejected. I fail to see the necessity for going to a conference, because it is fairly clear that the Government is absolutely determined on this matter. We will not be pressing the suggested amendment any further. It was put forward by this Council as a suggested amendment but, because of the Government's attitude, there is little point in putting everyone through a conference which can have only one result—that is, this Council would accept it—because I, along with other members, do not believe in interference in money matters by the Legislative Council. That is not our role but, nevertheless, I express my extreme disappointment that this sensible suggested amendment has been rejected.

The Hon. I. GILFILLAN: It is a sad situation that we have reached where the Council is not going to persist with what is I think an eminently fair and well thought out amendment to the Bill. In order that this not be a wasted effort I urge the Government to seriously consider the introduction of a similar sort of decision in the next budget determination so that this principle can be accepted by the Government itself. If it does so I will be the first to congratulate it on being sufficiently mature and adult to listen to the argument and persuasion of the people in this place, the Opposition and the Democrats, and further to reflect the concern for, in particular, the rural areas for adequate provision of funds for their roads.

If, however, the Government does not take advantage of this experience, I give notice that the Democrats will move a similar amendment in the situation next year with more determination to persist with such an amendment and I believe that the Government will have no excuse, having had the time to plan and analyse the consequences of this measure, for pleading that such an amendment would interfere with its plans and budgetary control. I trust that the Leader of the Opposition and the mover of this amendment in this place, the Hon. Martin Cameron, has taken note of what I have signalled to the Government, that it is on notice of 12 months, that it has the chance to take the initiative, but if not it will find us far more persistent with a similar measure, if need be, next year.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

In Committee.

(Continued from 20 October. Page 1315.)

Clause 3—'Directions to driver, etc.'

The Hon. PETER DUNN: I move:

Page 1, lines 22 to 33 and page 2, lines 1 to 46—Leave out all words after the word 'is' and insert in lieu thereof the words 'amended by striking out subsection (2)' and substituting the following subsections:

(2) A person of whom a request is made under subsection (1) must forthwith comply with that request.

Penalty: $5 000.

(3) Where a court convicts a person of an offence against subsection (2) the court may order that the person be disqualified from holding or obtaining a driver's licence for a period not exceeding three months.

(4) If an order for disqualification is made under subsection (3), the person's driver's licence is cancelled as at the commencement of the period of disqualification.

This amendment is intended to offset what the Government has proposed in its extremely draconian legislation. It is treating the truck drivers as though they are the Mafia or people who peddle death and destruction. I guess there is some relationship there, but they are generally not like that. This amendment is severe. It provides an imposition of $5 000 if people do not stop. The Minister kept saying last night that the measures the Government is suggesting in the Bill—that is, breaking into a vehicle—is the only way we will stop these people. I suggest that we have to stop the vehicle first. A clause of the Bill calls for the vehicle to stop. Under the old legislation offenders were fined $1 000 if they did not stop and some did not stop because they knew that paying $1 000 meant that they were financially better off than paying the fine for being overloaded by 20 tonnes. The new penalty of $5 000 and the loss of licence would certainly offset that.

If a police officer sees a truck heading away from him and the driver does not stop, he can take the number and that person is fined $5 000. Surely a couple of those fines would bring to order the person who is breaking the law. The amendment provides a sensible method of controlling overloading.

The Minister likes commonsense. I heard him trying to convince the Hon. Ian Gilfillan last night, and it was interesting to watch him. In this case I think commonsense will prevail and I hope the amendment is suitable to all.

The Hon. I. GILFILLAN: The Democrats support the amendment, believing it to be the better of the two proposals put forward as an attempt to overcome what is a very real problem in regard to the drivers of heavy road transport abusing their responsibilities to have their truck properly weighed to ascertain whether they are complying with weight restrictions. We support the amendment.

The Hon. J.R. CORNWALL: I cannot help but think what an arch hypocrite the Hon. Mr Gilfillan is in matters of road safety—

The Hon. Peter Dunn interjecting:

The Hon. J.R. CORNWALL: Until that time there had been a consistent campaign on road safety. In my concluding remarks in the second reading reply last night I stated (and I quote briefly and directly as I have not much more to add):

> We are talking about life and death, about rigs that have a capacity to overload by up to 20 tonnes and the power to travel at speeds between 120 and 130 km/h. We are talking about current legislation that is powerless to stop these practices and about a Bill which can stop them. We are talking about an amendment that negates completely what the Government is attempting to do.

I am absolutely appalled that the Democrats are supporting this amendment. I make very clear that it is unacceptable to the Government and will not be accepted when returned to the House of Assembly.

Members interjecting:

The Hon. J.R. CORNWALL: We may have a conference. What are we doing? Somebody has pulled a couple of Liberal Party coats, tugged their sleeves so that they have moved this crook amendment. Someone has lobbied the Hon. Ian Gilfillan, the champion of road safety, and he is prepared to leave this legislation in a form that he knows is unenforceable—he is as crook as the Liberals and has been compromised!

I explained last night that there is presently what is, in practice, a token penalty and this amendment simply proposes to increase the maximum penalty. In practice it would be very difficult for the courts to impose the maximum penalty, because it would still be impossible to stop a rig and weigh it.

The Hon. Peter Dunn: How are you going to stop them under your legislation—stand in front of them?

The Hon. J.R. CORNWALL: The honourable member is saying, 'You simply cannot stop them—they can do as they please'; that is what the Hon. Mr Dunn is putting to this place, and that is what is getting the support of the Opposition and the Democrats. They are saying, 'We cannot stop these merchants of death from overloading by up to 20 tonnes and travelling at 120 to 130 km/h, so we will give up. We concede that we ought to be on their side.' That is what the members are saying.

The Hon. Peter Dunn interjecting:

The Hon. J.R. CORNWALL: Do not be so stupid!

The Hon. Peter Dunn: How are you going to stop them under this legislation?

The Hon. J.R. CORNWALL: Is the honourable member suggesting that the police cannot stop them—full stop?

The Hon. Peter Dunn: If they can stop them, then our amendment applies.

The CHAIRPERSON: Order!

The Hon. J.R. CORNWALL: They cannot stop them.

The CHAIRPERSON: Order! We are debating an amendment, not having a conversation across the Chamber. Each member can have the call to speak as often as they wish.

The Hon. J.R. CORNWALL: It is ludicrous to suggest that the police or Highways Department inspectors cannot stop a semitrailer—if they are given the legal power to do so. Under existing legislation it pays them not to stop, because the maximum penalty they face is $1 000, and in practice it is usually $200 to $300. It pays them not to stop. If they are stopped and directed to be weighed, and are penalised on the basis of the overloading, the penalty can be anywhere between $3 500 and $7 000, so they defy all that is reasonable and do not stop.

The Hon. Mr Dunn, supported by the phoney Ian Gilfillan—who protests all the time that he has this enormous interest in road safety—is prepared to conspire to ensure that irresponsible transport operators, small number though they may be (and I am not reflecting on the reputable operators), can continue overloading these juggernauts by up to 20 tonnes and travel at 120 to 130 km/h—he wants to support those practices. That is what the amendment does, and the Government rejects it totally. It certainly shows up the Hon. Mr Gilfillan for the phoney that he is.

The Committee divided on the amendment:

Ayes—(12)—The Hons J.C. Burdett, M.B. Cameron, L.H. Davis, Peter Dunn (teller), M.J. Elliott, I. Gilfillan, K.T. Griffin, C.M. Hill, J.C. Irwin, Diana Laidlaw, R.I. Lucas, and R.J. Ritson.

Noes—(9)—The Hons G.L. Bruce, J.R. Cornwall (teller), T. Crothers, M.S. Feleppa, Carolyn Pickles, T.G. Roberts, C.J. Sumner, G. Weatherill, and Barbara Wiese.

Majority of 3 for the Ayes.

Amendment thus carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

At 11.35 p.m. the Council adjourned until Thursday 22 October at 2.15 p.m.