

LEGISLATIVE COUNCIL

Tuesday 1 November 1988

The **PRESIDENT (Hon. Anne Levy)** took the Chair at 2.20 p.m.

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Land Tax Act Amendment,
Pay-roll Tax Act Amendment,
Unauthorized Documents Act Amendment.

QUESTIONS ON NOTICE

The **PRESIDENT**: I direct that written answers to the following Questions on Notice, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 4, 9, 12, 13 and 15.

COMMUNITY WELFARE WORKERS

4. The **Hon. DIANA LAIDLAW** (on notice) asked the Attorney-General:

1. How many current Community Welfare workers in country regions have more than three years experience?

2. Is the Minister aware of any such workers not undertaking full duties?

3. Can the Minister confirm whether it is departmental policy and practice to employ experienced social workers in country regions?

4. What has been the level of staff turnover amongst Community Welfare workers in all departmental offices in the Northern Country region over the past three years?

The **Hon. C.J. SUMNER**: The replies are as follows:

1. 20.9 FTE (32 persons).

2. As at 19 August 1988 there were two Community Welfare workers in Southern Country Region and one in Northern Country Region not undertaking full duties. It is the policy of the department to allocate workloads to Community Welfare workers appropriate to their particular aptitudes and to client demand.

3. Yes.

4. 1987-88—15

1986-87—23

1985-86—31

IMMUNITY FROM PROSECUTION

9. The **Hon. K.T. GRIFFIN** (on notice) asked the Attorney-General: In each of the years ended 30 June 1985, 1986, 1987 and 1988:

1. How many persons were granted immunity from prosecution?

2. What were the crimes for which, respectively, they were granted immunity?

3. In relation to which cases for which they were to give evidence were they granted immunity?

The **Hon. C.J. SUMNER**: There has not been any need to keep figures on these matters, but the list below contains all those that can be located. If there are any more immu-

ities they would be few in number and for relatively minor criminal activity.

1. 1985—1

1986—3

1987—4

1988—10

2. 1985

1986 (a) conspiracy to distribute drugs

(b) cultivate Indian hemp

(c) accessory before the fact to murder

1987 (a) accessory before the fact to murder

(b) cultivate Indian hemp

(c) cultivate Indian hemp

(d) cultivate Indian hemp

1988 (a) accessory before the fact to murder

(b) accessory after the fact to murder

(c) various breaches of the Controlled Substances Act committed alone and with Moyse

(d) supply amphetamine and selling cannabis

(e) using amphetamine, using cannabis

(f) possess cannabis for own use

(g) sell cannabis, self-administer heroin, possess heroin

(h) immunity given but no drug usage or dealings or knowledge ever shown

(i) smoke prohibited substance

(j) possess cannabis and seeds

3. 1985 Immunity given at the request of the Commonwealth Director of Public Prosecutions. Prosecution for conspiracy to distribute drugs held in Sydney

1986 (a) Immunity given at the request of the Commonwealth Director of Public Prosecutions. Prosecution for conspiracy to distribute and sell drugs held in Sydney

(b) Stanly—receiving cars stolen interstate

(c) Barry—murder

1987 (a) Walton—murder

(b), (c) defendant's name suppressed—cultivate Indian hemp

1988 (a) Byron—murder

(b) Economou—murder

(c) to (j) Moyse—drug related offences

BREACHES OF BAIL

13. The **Hon. K.T. GRIFFIN** (on notice) asked the Attorney-General: In respect of the years ended 30 June 1986, 1987 and 1988:

1. How many persons on bail committed offences or otherwise breached the terms of their bail?

2. What were those offences for which they were on bail?

3. What were the offences committed while on bail?

4. What were the breaches of bail?

The **Hon. C.J. SUMNER**: Statistics are not maintained in relation to breaches of bail or offences committed by persons whilst on bail. The only way this information could be obtained would be by a manual search of individual files and records, the administrative effort for which could not be justified.

CHILD GUARDIANSHIP

15. The **Hon. DIANA LAIDLAW** (on notice) asked the Minister of Tourism: In relation to Section 28 of the Com-

munity Welfare Act Temporary Guardianship of a Child; how many children of or above the age of 15 years have requested and/or been accepted for placement under the guardianship of the Minister?

The Hon. BARBARA WIESE: Statistics identifying the number of those children who personally requested placement are not maintained. However, during 1987-88, 34 children over the age of 15 years were accepted under Section 28 of the Community Welfare Act for placement under the guardianship of the Minister of Community Welfare.

PAROLE

12. **The Hon. K.T. GRIFFIN** (on notice) asked the Attorney-General: In respect of the years ended 30 June 1986, 1987 and 1988:

1. How many persons on parole committed offences or otherwise breached the terms of their parole?

2. What were those offences for which they were on parole?

3. What were the offences committed while on parole and what were the breaches of parole?

The Hon. C.J. SUMNER: The replies are as follows:

1. In respect of the year ended 30 June 1986, there were 221 persons on parole who committed offences or otherwise breached the terms of their parole; in the year ended 30 June 1987 there were 360 such persons; and in the year ended 30 June 1988 there were 405 such persons.

2. and 3. The lists of the offences for which they were on parole, and the offences/breaches committed while on parole, are attached and separated into the three respective years in question.

Questions 2 and 3 re: Further Offences for 1985-86 Financial Year

<i>Original Offence</i>	<i>New Offence</i>
1. Break, Enter and Larceny Drive Disqualified Possess House Break Implements Assault	Break, Enter and Larceny
2. Malicious Damage Larceny (2 counts)	Break, Enter and Larceny
3. Hotel Break and Larceny	Attempted Larceny Speeding Speed Dangerous PCA
4. Possess Indian Hemp for Trade	Possess Firearm without appropriate Licence DUI
5. Rape (2 counts)	Larceny Assault
6. Rape	Drive Unlicensed
7. Store Room Break/Larceny	Break, Enter and Larceny
8. Shop Break and Larceny	Armed Robbery
9. Drive without Consent Breach Recognizance	
10. Shop Break and Larceny Armed Robbery Attempted Escape Riotous Assembly	Rape
11. Rape Armed Robbery Shop Break and Larceny	Break, Enter and Steal
12. House Break and Larceny Robbery with Violence Rape Assaulted Escape Assault Police	Larceny
13. Cause Death by Dangerous Driving	Riding Push Bike without Lights
14. Shop Break and Larceny	Possess Indian Hemp Larceny
15. Cultivate Indian Hemp	Traffic Offences
16. Stealing as a Servant	
17. Escape Police Flat Break and Larceny	Assault Accessory before the Fact False Pretences Speed Dangerously
18. Indecent Assault	Assault
19. False Pretences	
20. Rape	
21. Possess Heroin for Sale Possess Heroin Accessory before the Fact	Assault

<i>Original Offence</i>	<i>New Offence</i>
22. Armed Robbery Club Room Break and Larceny Service Station Break with Intent to Steal School Break and Larceny Drive without Consent Escape	Possess House Break Implements
23. Service Station Break and Larceny Larceny House Break and Larceny Shop Break and Larceny	PCA
24. Rape (6 counts)	Club Break and Larceny Wilful Damage Offensive Language Drive Disqualified Common Assault Assault OABH
25. Assault OABH	
26. House Break and Larceny	
27. Armed Robbery	
28. Surgery Break and Larceny House Break and Larceny Receiving	Indecent Assault Robbery with Violence Breach Recognizance Assault No Licence
29. Indecent Assault	
30. Shop Break and Larceny Work Shop Break and Larceny Assault Police (2 counts) Possess House Break Implements Resist Arrest (2 counts)	Illegal Use
31. House Break and Larceny Assault	Speed Dangerous Resist Arrest Drive whilst Disqualified Aid and Abet False Pretences Break, Enter and Larceny Break, Enter and Larceny (5 counts) Illegal Interference
32. Selling Heroin Possessing Heroin	
33. Arson	
34. Break, Enter and Steal (4 counts) Larceny	
35. Arson	
36. House Break and Larceny (7 counts) Illegal Use (2 counts) False Pretences Forgery (2 counts) Uttering (2 counts)	+ 23 other offences taken into account
37. House Break and Larceny (3 counts)	Receiving
38. Dwelling House Break and Larceny Forgery (2 counts) Accessory after Fact Larceny Work Shop Break and Larceny Garage Break and Larceny Ware House Break and Larceny	Unlawful Possession DUI PCA Exceed Speed Inappropriate Licence DUI Drive while Disqualified
39. Larceny	Larceny (2 counts)
40. Canteen Break and Larceny Surgery Break and Larceny	Unlawful Use of Motor Vehicle
41. Conspiracy to commit Arson Cattle Stealing	Receiving
42. House Break and Larceny Drive without Consent DUI Resist Arrest	Unlawful Possession
43. Office Break and Larceny Club Break and Larceny	Exceed Speed Limit Possess Prohibited Substance Drive Disqualified Fail to Answer Truly Suspected Person Reputed Thief
44. House Break and Larceny	Break, Enter and Larceny
45. House Break with Intent to Steal Shop Break and Larceny	Supply and Possess Drug of Addiction Possess Indian Hemp Possess Firearm Possess Pistol without Licence
46. Abduction Rape (2 counts)	Assault Occasioning Actual Bodily Harm Assault
47. Break out of Factory after Stealing Accessory after the Fact	Possess Heroin
48. Break, Enter and Larceny Illegal Use	
49. Possess and Trade in Indian Hemp and Methane (11 counts)	
50. Illegal Use of Motor Vehicle	Fail Pay Taxi False Name Assault PCA Due Care Fail to submit Alcohol Test Fail to keep within single lane Unlawful Possession (2 counts)
51. Rape	
52. Unlawful Possession Shop Break and Larceny Larceny	Unlicensed Driving
53. House Break and Larceny (2 counts) Attempted House Break with Intent to Steal	

<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>New Offence</i>
54. Drive Motor Vehicle without Consent	Possess Prohibited Substance and Implements	84. Murder	Exceed .08
Breach Recognizance		85. Possess Heroin for Sale	Drive Disqualified
55. Receiving Stolen Property	Break, Enter and Larceny (2 counts)	Possess LSD	PCA
Stolen Money	Larceny (3 counts)	Breach Recognizance	
Break, Enter and Steal (4 counts)	Illegal Use (3 counts)	86. House Break and Larceny	Steal (4 counts)
Steal		Club Break and Larceny	Break, Enter with Intent
Interfere with Motor Vehicle (2 counts)		Larceny	Attempt Break and Enter
56. House Break and Larceny	Break, Enter and Larceny	Malicious Damage	
57. Larceny in House	Assault OABH	87. Canteen Break and Larceny	Break, Enter and Larceny
Assault		Shed Break and Larceny	
Drive while Disqualified		Larceny	
58. Conspiracy to Commit Armed Robbery	Theft of Motor Vehicle	Library Break and Larceny	
	Dangerous Driving	88. Forgery	False Pretences (3 counts)
	Unlawful Possession	Uttering	Fraudulent Conversion
	Unlicensed Driving	Larceny	Larceny
	Possess and Supply	Imposition	
	Prohibited Substance	False Pretences	
59. Place Explosives with Intent to Destroy a Building	Shop Break and Larceny	Drive Disqualified	
60. Shop Break and Larceny	False Pretences	89. Larceny	Larceny Motor Vehicle
Shop Break with Intent		90. Show Room Break and Larceny	Loiter with Intent for
Surgery Break and Larceny		House Break and Larceny	Prostitution
Larceny (7 counts)		Assault	
61. Indecent Assault	Disorderly Behaviour	91. Hotel Break and Larceny	DUI
	Resist Arrest	Drive whilst Disqualified	Illegal Use of Motor Vehicle (2 counts)
	Wilful Damage		Assault Police
	Assault		Escape Lawful Custody
	Drive while Disqualified		Exceed .08
	Possess Two Pipes	92. Fraudulent Conversion	
63. Armed Robbery	Undue Noise	Forgery	
64. Wounding with Intent to do Grievous Bodily Harm	Fail Truly Answer	93. Shop Break and Larceny (2 counts)	Unlawful Possession
	Drive contrary to Learner's Permit		Drive Unregistered and Uninsured
	Giving False Name and Address	94. Assault with intent to commit Felony	Stealing
	Disobeying Traffic Lights	95. Larceny (2 counts)	PCA
	No Helmet	Receiving	No Lights
	No Licence	Illegal Use of Motor Vehicle	
65. Possess House Break Implement	Larceny	96. Drive without Consent (2 counts)	Possess Pipe
Common Assault	Resist Arrest	Assault (2 counts)	
House Break and Larceny		Interfere with Motor Vehicle	
66. House Break and Larceny		Carry Article of Disguise	
67. Assault OABH (2 counts)		House Break with Intent to Steal	
Consort with Reputed Thieves		97. Surgery Break and Larceny	Possess Indian Hemp
68. Shed Break and Larceny		Drive while Suspended (4 counts)	
Larceny		Drive PCA	
69. Possession House Break Implement by Night		Cause Death by Dangerous Driving	
Attempted Shop Break and Larceny		98. Sale LSD	Driving Unlicensed
House Break and Larceny (3 counts)		Possess LSD	PCA (2 counts)
Receiving		99. Conspire to commit Armed Robbery	
70. Illegal Use (2 counts)	Illegal Use		Drive in Dangerous Manner
Drive Dangerous Manner		100. Larceny (2 counts)	Break, Enter and Larceny
Interfere with Motor Vehicle		Rape	
Fail to Stop after Accident		Burglary	
Resist Arrest		101. Service Station Break and Larceny	Break, Enter and Larceny
Cause Harm by Dangerous Driving		Canteen Break and Larceny	Possess Cannabis
71. Rape	Unlawful Possession	Shop Break and Larceny	Possess Instrument
Buggery		102. Forgery (2 counts)	Break, Enter and Larceny
Escape Lawful Custody		Uttering	
72. False Pretences	False Pretences	School Break and Larceny (2 counts)	
73. Unlawful Imprisonment	Possession Indian Hemp	Warehouse Break and Larceny	
74. Larceny as a Servant	Drive Disqualified	103. Larceny	Fail to Give Way
Road House Break and Larceny		Forgery	No Licence
75. Pharmacy Break and Larceny	DUI	Uttering	
Burglary	Drive Disqualified	104. Illegal Use of Motor Vehicle	Drive Disqualified
Possession		Assault (2 counts)	
Receiving		105. Shop Break and Enter	House Break, Enter and Larceny
Wilful Damage		Illegal Use of Motor Vehicle	
Drive while Disqualified		Breach Recognizance	
76. Break, Enter Dwelling House	Break, Enter and Larceny	106. Assault OABH	Assault Police (2 counts)
77. Flat Break and Larceny (2 counts)	Break, Enter and Larceny	Common Assault	
Burglary			
78. Indecent Assault (3 counts)	Carry Offensive Weapon		
79. Misprison of a Felony	Rape		
80. House Break and Larceny (2 counts)	Disorderly Conduct		
Assault	Offensive Language		
Drive without Consent			
Untrue Representation			
Interfere with Motor Vehicle			
81. Forgery	Receiving		
Uttering with Intent			
Larceny			
Break, Enter and Steal			
82. House Break and Larceny (3 counts)	Larceny		
House Break, Enter with Intent to Steal			
Forge Cheque			
Utter Document			
83. Receiving	Shop Break and Office Break		
Larceny			

Questions 2 and 3—Regarding Breaches of Conditions for 1985-86 Financial Year

<i>Original Offence</i>	<i>Breach of Condition</i>
1. Indecent Assault	Non-reporting
2. Larceny	Abscond
Possess Indian Hemp	
Larceny	
Receiving	
Larceny	
Breach Recognizance	Non-reporting
3. Break and Enter Shops	Breach drug and alcohol treatment condition
4. House Break and Larceny (2)	Non-reporting
Assault	Abscond
Interfere with Motor Vehicle	Breach no drugs condition
5. Break and Enter House	Abscond
6. Break, Enter House	Abscond
7. Rape	Abscond
8. Rob or Steal from TH	Abscond
9. Larceny (unknown debt)	Abscond

<i>Original Offence</i>	<i>Breach of Condition</i>	<i>Original Offence</i>	<i>Breach of Condition</i>
10. Manslaughter	Breach no alcohol condition Breach not enter Iron Knob condition	69. Robbery with Violence 70. Other Property Damage 71. Other Assault	Non-reporting Breach residence condition Non-reporting Abscond Abscond
11. Motor Vehicle Theft	Breach no alcohol condition Fail obey PO directions	72. Common Assault Breach of Recognizance Illegal Use of Motor Vehicle	Abscond
12. Break and Enter Hotel	Abscond	73. Unlawful use of Motor Vehicle	Abscond
13. Other Theft	Further offences	74. False Pretences	Fail obey PO directions
14. Assault Policeman	Abscond	Suspended Sentence Revoked (3 counts)	
15. Other Assault	Non-reporting Breach psych treatment condition Abscond	Suspended Sentence Revoked (2 counts)	
16. Illegal Use Unlawfully Wounding		Suspended Sentence Revoked False Pretences (5 counts) Larceny (5 counts) Possess Personal Property subject of being Stolen (2 counts)	
17. Break, Enter Shop	Abscond	75. Rape	Abscond
18. Break and Enter	Abscond	76. Break and Enter Other	Non-reporting
19. Break and Enter House	Abscond (2)	77. Rape	Abscond
20. Break and Enter House	Breach Good Behaviour condition	78. Administer Other Narcotics	Breach no drugs condition
21. Break and Enter Dwelling	Non-reporting	79. Robbery or Attempted	Breach drug treatment condition
22. Break and Enter Shop	Abscond	80. Rape	Abscond
23. Licence Offence	Abscond	81. Assault with Intent	Abscond
24. Cultivating Indian Hemp	Abscond	82. Rape Female	Non-reporting
25. Other Motor Vehicle/Traffic	Further Offences	83. Break and Enter House	Abscond
26. Break and Enter Office	Breach no drugs	84. Break and Enter House	Abscond
27. Steal Motor Vehicle	Abscond	85. Break and Enter (unknown)	Abscond
28. Other Assault	Non-reporting Abscond	86. Wound cause Greivous Bodily Harm to Others	Non-reporting Breach reporting condition Breach no alcohol and no weapons conditions
29. Break and Enter	Non-reporting Breach drug and alcohol treatment and residence conditions Non-reporting Abscond	87. Assault with Intent	Non-reporting Breach drug treatment conditions
30. Assault with intent to commit Felony	Abscond	88. Rape Female	Breach not allow person under 18 to reside in home without PO permission condition
31. Larceny as a Servant	Abscond	89. Escape from Police Custody	Abscond
32. Conspiracy to commit Armed Robbery	Abscond	90. Break and Enter Shop	Breach residence condition
33. Larceny from Person	Absconded to UK	91. Break and Enter Surgery	Non-reporting
34. Arson	Fail to attend PB meeting	92. Drive whilst Disqualified	Non-reporting Breach residence condition
35. Indecent Assault	Further offences	93. Fraud	Abscond
36. Other Robbery	Abscond	Forgery	
37. Break and Enter Dwelling	Abscond	False Pretences	
38. Break and Enter Shops	Abscond	94. Break and Enter Other	Non-reporting
39. False Pretences	Fail obey PO directions	95. Other Theft	Breach condition to attend Trade or Technical College for training as directed by Parole Officer
40. False Pretences	Fail obey PO directions	Enforce of Order	
41. Arson (unknown detail)	Breach reporting Breach drug and alcohol assessment condition Abscond	96. Forge or Utter	Abscond
42. Break and Enter Dwelling	Abscond	97. Break and Enter House	Breach drug treatment condition
43. House Break and Larceny	Breach drug and alcohol assessment condition	98. Indecent Assault	Breach condition not to contact victim
44. Other Robbery	Abscond	99. Other Assault	Non-reporting Abscond
45. Larceny of Other	Abscond	100. Larceny of Other	Breach no alcohol condition
46. Break and Enter Hotel	Abscond (2)	101. Escape Prison or Hospital	Abscond
47. Larceny of Other	Abscond	102. Drive whilst Disqualified	Abscond
48. False Pretences	Fail to obey PO directions	103. Break and Enter Shop	Non-reporting Fail to appear Court
49. Robbery with Violence	Abscond	104. Break and Enter Other	Abscond
50. Assault	Non-reporting Abscond	105. Unlawful use of Motor Vehicle	Abscond
51. False Pretences	Abscond	106. Robbery in Company	Abscond
False Pretences		107. Break and Enter Dwelling	Abscond
Fraudulent Conversion		108.	Abscond
52. Break and Enter	Non-reporting Fail obey PO directions Abscond (2)	109. Break and Enter Dwelling	Abscond
53. Rape	Breach drug and alcohol assessment condition	110. Break and Enter Other	Fail obey PO directions
54. House Break and Larceny	Breach drug and alcohol assessment condition	111. Possession/Use Drugs	Abscond
55. Break and Enter House	Abscond	112. House Break and Larceny (2 counts)	Abscond
56. Assault Policeman	Breach reporting condition	Untrue Representation	
57. Larceny of Other	Non-reporting Abscond	Drive without Consent	
58. Break and Enter Dwelling	Non-reporting Breach reporting condition Abscond	Club Break and Larceny	
59. Other Offensive Behaviour	Abscond	Breach Recognizance	
60. Wound with intent to cause Greivous Bodily Harm	Abscond	113. Break and Enter Other	Fail obey PO directions Breach no alcohol condition Fail obey PO directions Fail obey PO directions
61. Break and Enter Pharmacy	Abscond		Breach no offensive weapons condition
62. Break and Enter other Building	Abscond	114. Attempted Murder	Abscond
63. Break and Enter Other	Abscond	115. Break and Enter Dwelling	Other Driving Offences
64. Fraud	Abscond		
Forgery			
False Pretences			
65. Armed Robbery	Abscond		
66. Motor Vehicle Theft	Fail obey PO directions Breach no alcohol condition Fail obey PO directions		
67. Break and Enter Other	Non-reporting Breach drug and alcohol treatment and residence conditions Non-reporting Abscond		
68. Escape Prison or Hospital	Non-reporting Abscond		

Questions 2 and 3 Regarding Further Offences for 1986/87 Financial Year

- Original Offence*
1. Cultivate prohibited plant
2. Indecent Assault

- New Offence*
Hotel Break and Larceny
Disorderly Behaviour

<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>New Offence</i>
3. Office Break and Larceny Larceny	Break, Enter and Steal Receiving Goods in Custody Forge and Utter PCA	34. Receiving Office Break and Larceny Shop Break and Larceny Office Break and Larceny	Receiving
4. False Imprisonment Common Assault	Assault Killing a Dog Assault Police Resist Arrest Disorderly Behaviour	35. House Break and Larceny (3)	Fraudulent Conversion Embezzlement False Statement PCA Drive Disqualified Break, Enter and Larceny Possess House Break Implements by Night False Pretences (2) Receiving Property by False Pretences
5. AOABH Assault (3) Wilful Damage Resist Arrest Break, Enter and Steal		36. Cause Death by Dangerous Driving	DUI Due Care Drive under Suspension Break, Enter and Larceny (2 counts)
6. Armed Robbery (7)	Possess Prohibited Substance PCA (2) Speed Dangerous Possession of Dangerous Drug Drive under Disqualification Drive manner Dangerous Fail to stop at traffic lights PCA	37. Manslaughter	Possess House Break Implements (2 counts) Break, Enter with Intent to Steal Drive under Disqualification Possess Indian Hemp House Break and Larceny
7. Prepare Indian Hemp for Trade	Burglary House Break and Larceny Unlawfully on Premises	38. Arson of Dwelling Shop	School Break and Larceny
8. Rape	Disorderly Behaviour CWOP Drive Disqualified Various Driving Offences Possess Stolen Property Service Station Break, Enter and Larceny Present False Documents	39. House Break and Larceny Forgery (5) Uttering (4) False Pretences	Attempted Escape
9. Armed Robbery	Break, Enter and Larceny Break, Enter with Intent Attempt Break, Enter DUI Drive without Due Care	40. Receiving (2 counts) Drive while Disqualified Fail to answer truthfully	Assault Police Assault Assault Police
10. Break, Enter and Larceny	Imposition	41. Receiving (4 counts) Unlawful Possession	Offensive Language
11. Possess Drug of Dependence Unlawful Possession of Motor Vehicle		42. Drive without Consent	Driving at Dangerous Speed Speeding Contravene Learner's Permit Burglary (3)
12. House Break and Larceny		43. Receiving Larceny House Break and Larceny	Interfering with Motor Vehicle without Consent
13. Drive Disqualified		44. Drive without Consent (2) Assault Police Common Assault	Theft Assault OABH Assault Driving Under Influence Refuse Breath Analyser Resist Arrest PCA Due Care Fail to Stop after Accident House Break and Larceny
14. Drive without Consent Unlawful Possession Drive while Disqualified		45. House Break and Larceny Office Break and Larceny Armed Robbery Assault OABH	
15. False Pretences Forgery (2) Uttering (2)		46. Robbery Burglary Escape Prison	
16. Rape (4) Interfere with Motor Vehicle		47. Manslaughter Unlawful Wounding	
17. Office Break with Intent Pharmacy Break and Larceny Armed Robbery		48. Breach of Recognizance (2 counts) Possess Property Suspected Stolen Larceny from Person Common Assault	
18. Office Break with Intent Pharmacy Break and Larceny Armed Robbery Flat Break and Larceny Office Break and Larceny Office Break and Larceny Illegal Use Larceny		49. Larceny from Person (2) Robbery with Violence	
19. Office Break and Larceny	Break, Enter and Larceny (16 counts) Illegal Use Shop Break and Larceny Drive Unregistered Drive Uninsured Inappropriate Licence False Name Fail to truly answer Canteen Break and Larceny False Pretences Illegal Use	50. Common Assault Illegal Use of Motor Vehicle	
20. Break, Enter and Larceny (2) Larceny (2) Drive without Consent	Illegal Use of Motor Vehicle	51. House Break and Larceny Drive without Consent Resist Arrest DUI	
21. Attempt False Pretences Larceny False Pretences False Pretences Fail to comply to Bail Condition Drive Unlicensed Larceny	Carry Offensive Weapon	52. Murder	
22. Shed Break and Larceny Drive Disqualified (3) Office Break and Larceny	Possess Prohibited Substance	53. Rape	
23. Assault (2) Assault Police (2) Hinder Police	Assault Police (3) Carry Offensive Weapons	54. Murder	
24. Forge Utter Demand Money with Menace	Possess Cannabis Possess Implements Illegal Use (3) Drive Disqualified DUI Break, Enter and Larceny Cultivate Indian Hemp	55. Murder	
25. Shop Break and Larceny (3)		56. Club Break and Larceny Associated Break and Larceny House Break and Larceny Drive Motor Vehicle without Consent Break, Enter Dwelling House with Intent to Steal Illegal Use of Motor Vehicle Robbery with Violence	
26. House Break and Larceny (3) Possess Indian Hemp Unlawful Possession		57. Robbery with Violence	
27. Larceny		58. Armed Robbery	
28. Break, Enter and Steal Interfere with Motor Vehicle		59. Wounding with intent to cause Grievous Bodily Harm	
29. Unlawful Sexual Intercourse (2) Aiding and Abetting		60. Throwing Projectile Assault OABH (3) Drive Motor Vehicle without Consent Stealing Unlawful Interference with Motor Vehicle	
30. Indecent Assault Armed Robbery with Violence		61. Larceny (2)	
31. Drive Motor Vehicle without Consent Wilful Damage Larceny	Larceny	62. Breach of Recognizance	
32. Selling Heroin Possess Heroin	Drive Manner Dangerous Drive Disqualified	63. Armed Robbery Assault with Intent to Rob Possess Stolen Property	
33. Shop Break and Larceny	Possess Heroin Arson	64.	House Break and Larceny Accessory to House Break and Larceny Speeding Drive Unlicensed DUI Offensive Language Illegal Interference Larceny Drive Disqualified (2)

<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>New Offence</i>
65. House Break and Larceny (3) Unlawful Possession (2) Larceny Drive while Disqualified	Assault OABH Club Break and Enter	96. False Pretences Uttering (2)	False Pretences (10) Obtain Credit by Fraud (10) Unauthorised to sell Liquor Unlawful Conversion of a Vehicle
66. Robbery with Violence	Armed Robbery False Imprisonment Damage Property Larceny	97. Burglary	Offensive Language Assault Wilful Damage Resist Arrest
67. Drive without Consent (3) House Break with Intent	Theft of Motor Vehicle Garage Break, Enter and Larceny (2)	98. Assault Police (2) Drive Motor Vehicle without Registration	Possess Prohibited Import Armed Robbery Break, Enter and Larceny Dwelling House False Pretences Illegal Use Drive Disqualified
68. Illegal Use of Motor Vehicle	Wilful Damage (7) Illegal Use (2) Drive Unlicensed Club Break, Enter and Larceny Wilful Damage	99. Rape Buggery	Assault Wilful Damage Shop Break, Enter and Larceny Set Fire to Matter Attempt Club Break (2)
69. Unlawful Possession Shop Break and Larceny Larceny	Drive Unlicensed Exceed .08 Larceny (3) Illegal Use (2) Assault Police	100. House Break and Larceny (3)	Larceny Wilful Damage DUI Assault Police Unlawfully on Premises Larceny Assault Police Breach of Restraint Order
70. Armed Robbery Break, Enter and Larceny	Possess Indian Hemp and Implements	101. Surgery Break and Larceny House Break and Larceny Hotel Break and Larceny	Assault Wilful Damage Shop Break, Enter and Larceny Set Fire to Matter Attempt Club Break (2)
71. House Break and Larceny (3)	Drive in Manner Dangerous Exceed .08	102. House Break, Enter and Larceny Assault	Larceny Wilful Damage DUI Assault Police Unlawfully on Premises Larceny Assault Police Breach of Restraint Order
72. Illegal Use Break, Enter and Steal Escape Custody	Armed Robbery Shop Break and Larceny Break and Enter Illegal Use Carry Offensive Weapon Disorderly Behaviour Wilful Destruction	103. Bank Break and Larceny Room Break and Larceny	Shop Break and Larceny Illegal Use Illegal Use Larceny Shop Break and Larceny (4 counts)
73. Cause Death by Dangerous Driving House Break and Larceny (2) Possess House Break Implements	Warehouse Break and Larceny	104. Assault with Intent to Rape Break and Larceny (5 counts) Assault Police (2 counts) Resist Police Carry Offensive Weapon	Disorderly Behaviour Offensive Language
74. Studio Break and Larceny House Break and Larceny Possession of Implements	Attempted Garage Break and Larceny	105. Shop Break and Larceny (3 counts) Larceny Unlawfully on Premises Work Shop Break and Larceny Factory Break and Larceny Office Break and Larceny Unlawful Use of Motor Vehicle	Drive Manner Dangerous
75. House Break and Larceny Deli Break and Larceny House Break with Intent Carry Offensive Weapon	Break, Enter and Larceny Discharge Firearm Assault Possess Cannabis Goods in Custody DUI Refuse Breath Test PCA Hotel Break, Enter and Larceny	106. Shop Break and Larceny (3 counts) Larceny Unlawfully on Premises Work Shop Break and Larceny Factory Break and Larceny Office Break and Larceny Unlawful Use of Motor Vehicle	Drive while Disqualified
76. Assault OABH Assault Wilful Damage	Attempted Rape	107. Shop Break with Intent to Steal Larceny Cafe Break and Larceny Receiving School Break and Larceny Larceny Unlawful Possession House Break and Larceny	Office Break and Larceny (2) Canteen Break and Larceny Wilful Damage
77. House Break and Larceny (6) Office Break with Intent Assault	DUI Inappropriate Licence Drive Disqualified.	108. Shop Break and Larceny Surgery Break and Larceny Shop Break with Intent Drive without Consent	Break and Enter Surgery
78. Drive Motor Vehicle without Consent Drive Motor Vehicle while Disqualified	Due Care Assault OABH Shed Break and Larceny Drive Disqualified Receive Stolen Property Drive while Disqualified Possess Cannabis Possess Smoking Utensils	109. Wound with Intent to do Grievous Bodily Harm	Larceny Illegal Use False Pretences
79. False Pretences Larceny (2)	Assault Police Illegal Use (3) Shop Break and Larceny	110. Forgery Uttering House Break and Larceny Larceny, Break, Enter and Steal	DUI House Break, Enter and Larceny Hotel Break and Larceny
80. Larceny of Motor Vehicle False Pretences (10)	Attempted Rape	111. Assault OABH Assault Police Robbery with Violence	Drive Disqualified
81. Rape	DUI Inappropriate Licence Drive Disqualified.	112. Shop Break and Larceny Surgery Break and Larceny Shop Break with Intent Drive without Consent	Office Break and Larceny (2) Canteen Break and Larceny Wilful Damage
82. Break and Enter (2)	Due Care Assault OABH Shed Break and Larceny Drive Disqualified Receive Stolen Property Drive while Disqualified Possess Cannabis Possess Smoking Utensils	113. Wound with Intent to do Grievous Bodily Harm	Break and Enter Surgery
83. Larceny	Assault Police Illegal Use (3) Shop Break and Larceny	114. Forgery Uttering House Break and Larceny Larceny, Break, Enter and Steal	Larceny Illegal Use False Pretences
84. House Break, Enter and Larceny	Attempted Rape	115. Assault OABH Assault Police Robbery with Violence	DUI House Break, Enter and Larceny Hotel Break and Larceny
85. Armed Robbery	DUI Inappropriate Licence Drive Disqualified.	116. Break and Larceny Larceny Breach of Recognizance Larceny	Drive Disqualified
86. Possess Indian Hemp for Sale Cultivate Indian Hemp Possess Indian Hemp (3)	Due Care Assault OABH Shed Break and Larceny Drive Disqualified Receive Stolen Property Drive while Disqualified Possess Cannabis Possess Smoking Utensils	117. Dangerous Driving Assault with Intent to Prevent Lawful Apprehension House Break, Enter and Larceny	Theft Burglary Unlawful Possession School Break and Larceny
87. Robbery with Violence	Assault Police Illegal Use (3) Shop Break and Larceny	118. Shop Break and Larceny (2) Escape Lawful Custody	Drive without Due Care Drive Disqualified DUI Drive Dangerous Drive without Consent Exceed .08 Larceny Break, Enter and Larceny
88. House Break and Larceny Drive without Consent Drive Disqualified (2)	Attempted Rape	119. House Break and Larceny Unlawful Interference with Motor Vehicle Wilful Damage	PCA
89. Common Assault Assault OABH	DUI Inappropriate Licence Drive Disqualified.	120. Attempted Rape (2 counts) Rape (2 counts)	Drive without Due Care Drive Disqualified DUI Drive Dangerous Drive without Consent Exceed .08 Larceny Break, Enter and Larceny
90. Possess House Break Implements Attempted Shop Break and Larceny Common Assault House Break and Larceny (3)	Due Care Assault OABH Shed Break and Larceny Drive Disqualified Receive Stolen Property Drive while Disqualified Possess Cannabis Possess Smoking Utensils	121. Rape	Wilful Damage
91. Break, Enter and Larceny Causing Grievous Bodily Harm with Intent	Assault Police Illegal Use (3) Shop Break and Larceny	122. Unlawful Use of Motor Vehicle Drive while Disqualified House Break, Enter and Steal Uttering (2)	
92. Attempt Armed Robbery House Break and Larceny Larceny from Dwelling House	Attempted Rape	123. Shop Break and Larceny Office Break and Larceny Bar Room Break and Larceny	
93. Possess Heroin for Sale Possess Heroin Possess Indian Hemp Possess Indian Hemp Pipe House Break and Larceny Possess Indian Hemp for Sale	Wilful Damage	124. Arson	
94. Assault OABH (2) Consort with reputed thieves	False Pretences		
95. House Break and Larceny Forgery (2)			

<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>Breach of Condition</i>
125. Factory Break and Larceny	Assault Police	10. Break and Enter Office	Absconding
126. Cafeteria Break and Larceny	Robbery with Violence	11. Possess Amphetamine	Abscond
127. Robbery (3)	Robbery with Violence	12. Robbery or Attempted	Breach residence condition
127. Various Break and Larceny	Work Shop Break and Larceny	13. House Break and Enter	Breach residence condition
Drive without Consent	Larceny	14. False Pretences	Abscond
Breach of Recognizance		15. Drive without due care	Breach residence condition
Illegal Use		16. Manslaughter	Breach of association condition
128. Possess Drugs	Possess Amphetamines	17. Larceny from Person	Absconded to UK
Assault (2)	Possess Methylamphetamines for Sale	18. Break and Enter	Report weekly
129. Office Break, Enter and Larceny (2)	House Break and Larceny	19. Larceny from Person	Breach good behaviour condition
Unit Break, Enter and Larceny		20. False Pretences	Breach weekly reporting condition
House Break and Larceny		21. House Break and Larceny	Absconding
Larceny from Dwelling House		22. Break and Enter	Abscond
130. Assault OABH	Wilful Damage	Break and Enter	Breach reporting condition
Illegal Use of Motor Vehicle		Break and Enter	
Assault Police		23. Larceny of Others	Breach drug condition
131. Rape	Rape	Larceny of Others	Breach residence condition
132. Attempted House Break with Intent to Steal	Wilful Damage	24. Breach of Parole (2 counts)	Breach not to leave SA without permission
Unlawful Use of Motor Vehicle	Escape Custody	25. Office Break and Enter	Abscond
133. Possess Indian Hemp for Sale (2)	DUI	26. Drive whilst Disqualified	Absconding
Cultivate Indian Hemp	Licence Disqualified	27. Driving whilst Disqualified	Breach weekly reporting condition
134. House Break with Intent	Larceny	28. Possess Cocaine	Abscond
False Pretences (2)		29. Break and Enter Club	Breach residence and reporting conditions
Larceny		30. Consume other Hulluc	Breach drug treatment condition
Use Motor Vehicle without Consent		31. Armed Assault	Abscond
135. Possess Amphetamine for Trade	Larceny	Shooting with Intent	Breach no drugs condition
Possess Hashish		Trade Heroin	Breach no drugs condition
Receiving (2 counts)		Possess Heroin	
136. Drive without Consent (2)	Illegal Use	Assault Police	
Assault (2)	Manner Dangerous	Resist Arrest	
Interfere with Motor Vehicle		32. Manslaughter	Breach no alcohol condition and fail to obey PO direction
House Break with Intent to Steal		33. Break and Enter (2 counts)	Breach no alcohol clause
137. Interfere with Motor Vehicle without Consent	Rape	34. Robbery or Attempted	Breach not to enter Iron Knob
Unlawful Possession		35. Robbery or Attempted	Breach alcohol treatment condition
Robbery with Violence		36. Assault with Intent	Breach reporting, residence and D&ASC
138. House Break and Larceny	House Break and Larceny	37. Receiving	Abscond
139. Surgery Break and Larceny	Flat Break and Larceny	Possession Indian Hemp for Trade	Breach reporting condition
Drive while Suspended	Uttering	Possession Indian Hemp	Abscond
Drive PCA	Drive while Disqualified	38. Robbery or Attempted	Breach contact children condition
Possess House Break Implements		39. Trade in Heroin	Breach residence condition
Cause Death by Dangerous Driving		40. Assault Policeman	
140. Sale LSD	Drive with Inappropriate Licence (3)	41. Wound cause Greivous Bodily Harm	
Possess LSD	PCA (2)	42. Forgery	
141. Conspire to commit	Fail to Give Way (2)	Uttering	
Armed Robbery	Assault	43. False Pretences	Abscond
142. Garage Break, Larceny	Drive Disqualified	44. House Break and Enter	Abscond
143. Burglary	Assault	45. House Break and Enter	Breach parole condition
Attempted House Break	Offensive Language	46. Break and Enter	Abscond
144. Assault with Intent to Rape	PCA	47. Shop Break and Enter	Abscond
145. Rape	Illegal Use	48. Imposition (5)	Abscond
House Break with Intent to Rape	Drive Disqualified	False Pretences (5)	
146. House Break with Intent to Steal	Assault Police	Forgery (2)	
House Break and Larceny	Larceny	Uttering (2)	
147. House Break and Larceny	Fail to Truly Answer	Assault	
House Break and Larceny	DUI	False Pretences	
Court Break and Larceny	Larceny	Attempted False Pretences	
Receiving		Larceny (cheque book)	
Unlawful Possession (3)		49. Rape Female	Breach by allowing person under 18 reside in home
False Pretences		50. Arson of Dwelling Shop	Breach weekly reporting condition
148. Larceny	Larceny	51. Rape Female	Non-reporting
House Break and Larceny		52. House Break and Enter	Abscond
Armed Robbery		53. Break and Enter Surgery	Non-reporting
149. False Pretences (3)	Rape	54. Indecent Assault (5 counts)	Fail to obey PO directions (3 counts)
Larceny	False Imprisonment	55. Unlawful Use of Motor Vehicle	Breach no contact condition
150. Breach of Recognizance	Self Administer Prohibited Substance	56. Break and Enter Hotel	Breach of reporting condition
		57. Threaten Life	Abscond (2)
			Breach of reporting condition
			Abscond
Questions 2 and 3—Regarding Breaches of Conditions for 1986-87 Financial Year			
<i>Original Offence</i>	<i>Breach of Condition</i>		
1. Break and Enter Hotel	Abscond		
2. Unlawful Use of Motor Vehicle	Breach weekly reporting		
3. Robbery or Attempted	Breach residence		
4. Indecent Assault	Breach "no drugs" condition		
5. Drive whilst Disqualified	Abscond		
6. Assault or Hinder PO	Absconding		
	Breach of reporting		
	Leave State without Permission		
	Breach D&ASC		
7. Break and Enter	Left SA without Parole		
	Officer permission		
8. Murder	Breach drinking clause		
9. False Imprisonment (3)	Breach good behaviour condition		
Assault			

<i>Original Offence</i>	<i>Breach of Condition</i>	<i>Original Offence</i>	<i>Breach of Condition</i>
58. Rape Female	Absconding	111. Burglary (2 counts)	Breach weekly reporting (2)
59. Break and Enter School (2 counts)	Fail to obey PO direction		Fail to advise PO of change of address
60. Sexual Intercourse (2 counts)	Breach reporting condition	112. Break and Enter Other	Breach no drugs condition
Breach of Parole	Fail to attend Parole Board meeting	113. Common Assault	Abscond
	Breach no alcohol	114. Break and Enter Other	Abscond
	Breach licensed premises	115. Firearm in Possession with Intent to commit Indictable Offence	Abscond
	Breach good behaviour	Conspiracy to commit Armed Robbery	
61. Shop Break and Enter	Non-reporting		
	Fail to appear in Court	116. Arson of Goods	Fail to obey PO directions
62. Embezzlement	Abscond	117. Wounding with Intent to cause Greivous Bodily Harm	Fail to obey PO directions
63. Shop Break and Enter (3 counts)	Non-reporting (3)	118. False Pretences	Abscond
64. Arson (unknown detail)	Breach of reporting and drug/alcohol assessment conditions	119. Murder (2 counts)	Breach no drugs condition
	Absconding		Abscond
65. Assault Occasioning	Absconding	120. Attempted Murder	Breach condition to abstain from alcohol
66. House Break and Enter	Absconding	121. Wound to cause Greivous Bodily Harm (2 counts)	Abscond
67. House Break and Larceny (7)	Abscond	122. Aid and Abet	Alcohol consumption
68. House Break and Larceny	Abscond (2)	Break, Enter and Steal	Breach weekly reporting
Forgery (5)		Possess Indian Hemp	Breach no Alcohol
Uttering (4)		Smoke Indian Hemp	Breach no weapons
False Pretences		123. Embezzlement (3 counts)	Abscond
69. House Break and Larceny (3 counts)	Breach good behaviour condition	124. House Break and Enter	Breach reporting condition
Office Break, Enter and Steal (4)	Abscond	125. Assault Occasioning (2 counts)	Non-reporting
Interfere with Motor Vehicle without consent	Abscond		Abscond
70. Death caused by Negligence	Abscond	126. House Break and Enter	Leave State without permission
71. Rape Female	Abscond	127. Shed Break and Larceny	Breach reporting condition
72. Breach of Recognizance (3 counts)	Breach reporting condition (2)	128. Breach of Parole	Absconding
	Breach residence condition	129. False Pretences	Fail to obey PO directions
	Absconding		Breach weekly reporting condition
73. Common Assault	Non-reporting	130. Robbery or Attempted (2 counts)	Breach of residence, employment and reporting condition
74. Armed Robbery	Breach of drug trafficking and association		Breach condition to attend Trade and/or Technical College Centre for the purpose of undertaking such training as your PO shall direct
	Fail to appear in Court		Breach residence condition
75. Manslaughter			Breach reporting condition
Unlawful Wounding			Discuss progress
Breach of Recognizance			
76. Murder	Breach drug treatment condition	131. Shop Break and Enter	Abscond
	Abscond	132. Wound cause Greivous Bodily Harm	Attended meeting voluntarily
77. Manslaughter	Abscond	133. Robbery with Violence	Abscond
78. Possess and use Narcotics	Fail to obey PO directions	134. Inflict Greivous Bodily Harm	Abscond
	Breach drug and alcohol treatment program	135. House Break and Enter	Abscond
	Abscond	136. Administer other Narcotics	Breach no drugs
79. Breach of Recognizance	Abscond	137. Rape Female (3 counts)	Breach of alcohol treatment condition
80. Shop Break and Enter	Abscond		Breach residence condition
81. Break, Enter and Larceny	Abscond	138. House Break and Enter	Non-reporting
82. Forge Utter Court DO	Abscond	139. Assault Occasioning Actual Bodily Harm	Abscond
83. Rape Female (2 counts)	Abscond (2 counts)	140. Breach of Parole (2 counts)	Breach reporting condition
84. Possess Liquor in CE	Breach of reporting	141. House Break and Enter	Fail to obey PO directions (2 counts)
85. Attempted Robbery	Breach no alcohol	142. Break and Enter Dwelling Driving Offences	Abscond
86. Larceny of Others	Abscond	143. House Break and Enter	Breach weekly reporting condition (2 counts)
87. Larceny as a Servant	Abscond	144. Larceny in Dwelling House Common Assault (2 counts)	Abscond
88. Attempted Robbery (3 counts)	Breach weekly condition (2)	False Reports (6 counts)	Breach reporting condition (5 counts)
	Absconding	145. Receiving (principal)	Breach weekly reporting condition
89. Wound cause Greivous Bodily Harm	Residence condition	146. Sexual Intercourse with person under 12 years (3 counts)	Breach no contact condition (2 counts)
90. Unlawful use of Motor Vehicle	Abscond	Indecent Assault (5 counts)	
91. House Break and Enter	Abscond	147. Break, Enter and Steal Breach of Recognizance Unlawfully on Premises Drive under Influence	Weekly reporting condition
92. Premises Association	Reporting condition	Assault Police	Breach reporting condition
	Drug Assessment (2)	Wilful Damage	
	Abscond	Larceny	
93. Robbery or Attempted	Abscond	Assault Police	
94. Break and Enter House (2 counts)	Abscond (2)	148. Break and Enter	Absconding
95. Revoke Parole	Abscond	149. House Break and Enter (3 counts)	Abscond (3 counts)
Break and Enter	Abscond	150. Assault	Abscond
96. Murder		Bar Break and Larceny	
97. Indecent Assault	Fail to obey PO directions	Wilful Damage	
	Breach condition not to contact victim of offence	151. Robbery or Attempted	Breach reporting condition
	Breach parole condition		Fail to obey PO directions
	Breach parole condition "B"	152. Attempted Robbery	Abscond
	Breach D&ASC condition	153. Escape from Prison or Hospital	Abscond
	Abscond	154. Pharmacy Break and Enter	Abscond
100. Larceny (2 counts)	Breach reporting condition	155. House Break and Enter	Abscond
Breach of Recognizance			
House Break and Larceny			
Cancellation of Parole			
101. School Break with Intent to Steal	Abscond		
Arson			
Breach of Recognizance			
102. False Pretences (2 counts)	Breach reporting condition		
	Leave State without permission		
	Breach no drugs		
103. Breach of Recognizance	Breach residence condition		
104. Robbery or Attempted	Abscond		
105. House Break and Enter	Non-reporting		
106. Occasioning Assault	Breach weekly condition		
107. Breach of Recognizance	Breach residence		
108. Break and Enter Other	Breach drug condition		
109. False Pretences	Breach reporting condition		
	Breach residence condition		
	Breach of credit		
110. Rape (2 counts)	Breach reporting condition		

<i>Original Offence</i>	<i>Breach of Condition</i>	<i>Original Offence</i>	<i>Breach of Condition</i>
156. Work Shop Break and Larceny Factory Break and Larceny Office Break and Larceny Unlawful use of Motor Vehicle (2 counts)	Breach of Condition Fail to obey PO directions Breach residence condition Abscond	196. Break and Enter (Unknown) (2)	Abscond Breach reporting Abscond
157. Receiving School Break and Larceny House Break and Larceny Flat Break and Larceny Larceny Illegal Use Motor Vehicle Unlawful Use Motor Vehicle Larceny Unlawful Possession	Breach reporting condition Breach D&ASC condition Abscond (2)	197. Interfere with Motor Vehicle without Consent Unlawful Possession (3 counts) Robbery with Violence	Abscond Breach reporting condition Abscond Breach weekly reporting condition Abscond from Hillcrest Abscond
158. Assault	Fail to obey PO directions Abscond	198. Office Break and Enter 199. Breach of Parole 200. Breach of Parole (2 counts)	Breach reporting condition Abscond Breach weekly reporting condition Abscond
159. Estreatment of Recognizance Assault with Intent to Rob Breach of Recognizance Receiving Assault Occasioning Actual Bodily Harm Assault Police Robbery with Violence	Fail to obey PO directions Abscond Non-reporting (2)	201. Murder 202. Assault with Intent (2 counts)	Breach reporting condition Abscond
160. Unlawful use of Motor Vehicle	Abscond	203. Forgery (2) Uttering Receiving School Break and Larceny (2) Warehouse Break and Larceny (2 counts)	Breach residence condition Breach no drugs condition Abscond Abscond Breach of contact condition Abscond Abscond
161. Indecent Assault	Breach of contact condition	204. House Break and Enter 205. Breach of Recognizance 206. Unlawful Use of Motor Vehicle 207. House Break and Enter 208. House Break and Enter	Breach of contact condition Abscond Abscond Breach reporting
162. Shop Break and Enter	Abscond	209. Break and Enter Unknown 210. Breach of Recognizance	Abscond
163. Forgery Uttering House Break and Larceny Larceny (2 counts) Breach Recognizance Break, Enter and Steal Illegal Use of Motor Vehicle Larceny False Pretences	Breach residence condition Fail to obey PO directions Breach no alcohol condition Fail to obey PO directions Breach residence (2)	Questions 2 and 3 re: Further Offences 1987-88 Financial Year <i>Original Offence</i> 1. Breach of Recognizance Hotel, Break, Enter and Steal Receiving 2. Drive Motor Vehicle without Consent (3 counts) Drive while Disqualified Club Break, Enter and Larceny Beach House Break, Enter and Larceny (4 counts) Interfere with Motor Vehicle	<i>New Offence</i> Larceny Offensive Language Unlawful Possession False Statement
164. Club Break and Enter	Abscond	3. Abduction Rape Indecent Assault	DUI Speed and Contravene Licence Unlawfully on Premises
165. House Break and Larceny (2) Untrue Representative Drive without Consent Club Break and Larceny Breach of Recognizance	Breach weekly reporting condition (2 counts)	4. Flat Break and Larceny 5. Cause Bodily Harm by Dangerous Driving Fail to Stop Assault Break, Enter with Intent Assault Police	Drive Unregistered and Uninsured
166. Larceny of Others	Abscond	6. School Break and Larceny Receiving Possess House Breaking Implements School Break and Larceny	Speeding Inappropriate Licence Riding Motor Bike Unregistered, Uninsured, Unlicensed
167. Forge Document	Abscond interstate Breach reporting condition	7. Attempted Choke with Intent to Rape 8. Maliciously cause Greivous Bodily Harm Uttering Break, Enter and Larceny Building Break, Enter and Larceny Larceny (2 counts) Fail to Pay Costs	Speeding Inappropriate Licence Riding Motor Bike Unregistered, Uninsured, Unlicensed
168. Drive Recklessly	Abscond	9. Armed Robbery	Illegal Interference Larceny Prescribed Content of Alcohol Exceed Speed Limit Offensive Language (2 counts) Convicted without Penalty Drive Unregistered Motor Vehicle Possess Dangerous Drug
169. Inflict Greivous Bodily Harm	Non-reporting Breach drug treatment condition	10. Arson Factory Break and Larceny	
170. Robbery or Attempted (2 counts)	Drug condition Breach no alcohol condition Breach residence condition Breach reporting condition Breach residence condition Breach weekly reporting Fail to obey PO directions Breach reporting condition Absconding Abscond Breach reporting condition Abscond Non-reporting Abscond (2) Breach budgeting condition	11. Assault Police Assault Occasioning Actual Bodily Harm 12. Assault with Intent to Rob while Armed 13. Imposition (5 counts) False Pretences (7 counts) Forge and Utter (2 counts) Assault Larceny 14. Armed Robbery 15. Rape 16. Assault with intent to commit Felony 17. Illegal Use of Motor Vehicle (5 counts) 18. Unlawfully on Premises Larceny Drive while Disqualified House Break and Larceny House Break with Intent	
171. Surgery Break and Enter	Breach no firearms condition		
172. Murder (2 counts)			
173. House Break and Enter			
174. House Break and Enter			
175. Suspended Sentence Revoked			
176. Rape			
177. Forge and Utter Bank			
178. Break and Enter			
179. Rape Female			
180. Shop Break and Larceny Office Break and Larceny Bar Room Break and Larceny Breach of Recognizance (2 counts)			
181. Attempted Murder Armed Robbery Kidnapping Larceny			
182. Forge or Utter (2 counts)			
183. Larceny Possess Indian Hemp (SSR) Receiving Larceny Breach of Recognizance			
184. House Break and Enter			
185. House Break and Enter			
186. Rob or Steal (2 counts)			
187. Breach of Parole			
188. Robbery or Attempted			
189. Conspiracy			
190. Break and Enter Dwelling			
191. House Break and Enter			
192. Enforce of Order			
193. Rape Female			
194. Receiving Garage Break and Larceny			
195. House Break and Enter			

	<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>New Offence</i>
19.	House Break and Larceny Burglary Possess House Break Implements at Night Breach of Recognizance	Drive under influence Resist Arrest Disorderly Behaviour Contravene Learner's Permit	48. Forgery (2 counts) Uttering (2 counts) Armed Robbery Trade in Heroin Possess Syringe Assault with intent to prevent apprehension Breach of Recognizance Escape from Prison	Suspected Person
20.	Delicatessen Break and Larceny Unlawful Possession	Larceny	49. House Break and Larceny	PCA Speeding Inappropriate Licence
21.	House Break and Larceny Malicious Damage	Unlawfully on Premises Resist Arrest	50. Unlawful Possession (2) Larceny	Drive without Licence
22.	Larceny Assault Drive Disqualified	Indecent Language PCA	51. Possess Heroin for Sale Possess Implement	Possess Equipment Offensive Weapon Larceny
23.	Armed Robbery	Offensive Language	52. Larceny (2 counts)	
24.	Rape Armed Robbery False Imprisonment Common Assault	Drive under Influence	53. Breach of Recognizance Attempt House Break, Enter and Larceny Larceny (3 counts) Breach of Recognizance (3 counts) False Pretences	Assist Person Unlawfully at Large DUI Fail to stop after an Accident Drive Unlicensed and Uninsured False Registration Due Care Exceed .08 False Name Contravene Learner's Permit Speeding
25.	Drive without Consent Robbery with Violence	Return to Licensed Premises	54. Assault with Intent to Rape	
26.	Unlawful Possession House Break and Larceny Shop Break and Larceny Armed Robbery	Attempt Break, Enter and Larceny with Intent	55. Arson Factory Break and Larceny	
27.	Assault Occasioning Actual Bodily Harm Refuse to pay meals and accommodation	Assault Police Resist Arrest	56. Conspiracy to Rob	
28.	Larceny	Possess Equipment Fail to Cease to Loiter Disorderly Behaviour	57. Shop Break and Larceny (2 counts)	Office Break with Intent Pleading Guilty
29.	Fail to comply with order Assault OABH	Resist Arrest	58. Breach of Recognizance House Break and Larceny Receiving Intent to Defraud	Assault OABH
30.	Armed Robbery	Possess Indian Hemp and Implement	59. Office Break, Enter and Steal Break, Enter and Steal	DUI PCA Due Care Drive Disqualified
31.	Break Enter and Larceny Forgery Uttering	Illegal Use of Motor Vehicle Offensive Language Receiving (2)	60. Indecent Assault (2 counts) Shed Break and Larceny False Pretences	PCA
32.	False Pretences		61. Possess LSD for Sale Possess LSD	
33.	Break, Enter and Larceny Illegal Use (3 counts) Larceny (3 counts) Drive Disqualified (3 counts) Wilful Damage	Fight in public place Unlawful Damage Drive Unlicensed Speeding Drive Unlicensed	62. False Imprisonment Assault OABH Common Assault Illegal Use of Motor Vehicle	Disorderly Behaviour
34.	Drive while Disqualified Receive Stolen Goods		63. Assault Cancellation of Parole	Larceny
35.	Unlawful Imprisonment Gross Indecency with a person under the age of 16 years Indecent Assault	Possess Heroin Offensive Language (2 counts) Assault Police Hinder Police Prescribed Concentration of Alcohol Fail to keep left Drive Unlicensed	64. Larceny Malicious Damage Illegal Use of Motor Vehicle (2 counts)	Drive Disqualified
36.	Possess Heroin for Sale		65. Club House Break and Larceny Break, Enter and Steal Illegal Use Illegally on Premises	Illegal Use of Motor Vehicle
37.	Larceny from Person		66. Break, Enter and Larceny Escape Custody	Larceny Illegal Use of Motor Vehicle Burglary Theft Burglary Burglary Theft Theft Burglary False Pretences Burglary Theft
38.	Shop Break and Enter Assault Offensive Behaviour Disorderly Behaviour Resist Police Possess Cannabis x 2 Breach Recognizance	Fail to leave premises Disorderly Manner Resist Arrest	67. Malicious Damage (2 counts) Larceny (2 counts)	
39.	Illegal Use (3 counts) Drive under Influence Drive Dangerous Resist Police Drive Disqualified Drive Motor Vehicle without Consent		68. House Break with Intent to Steal House Break and Larceny	
40.	Restaurant Break and Larceny Larceny Shop Break and Larceny Larceny	Drive Disqualified, Unregistered, Uninsured Drive Disqualified and Unregistered Assault Drive Disqualified Offensive Language Offensive Language Unlawful Possession (2 counts)	69. False Pretences	
41.	Forge and Utter Shop Break and Larceny	Disorderly Behaviour Refuse Name and Address Carry Offensive Weapon DUI Drive Unregistered/ Uninsured Drive Unlicensed Disorderly Behaviour Drive under Influence Prescribed Concentration of Alcohol Speed	70. Possess House Break Implements Larceny False Pretences House Break and Larceny Breach Recognizance False Pretences	Robbery Illegal Use
42.	Shop Break and Larceny Stealing Office Break and Larceny		71. Robbery with Violence	Drive Disqualified Illegal Use Illegal Use Drive Disqualified Wilful Damage Club House Break and Larceny House Break and Larceny Larceny Unlawful Interference
43.	House Break and Larceny (4 counts)		72. Shop Break and Larceny (3 counts) Hotel Break and Larceny Attempted Shop Break Possess Stolen Property Illegal Use Drive Disqualified (2 counts)	
44.	House Break and Larceny (4 counts)		73. Illegal Use of Motor Vehicle (3 counts) Larceny Receiving School Break and Larceny	
45.	Rape			
46.	House Break and Larceny x 2 Wilful Damage Armed Robbery Aid and Abet Drive without Consent			
47.	Purgery	PCA		

<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>New Offence</i>
74. Drive Without Consent Shop Break and Larceny Interfere with Motor Vehicle Assault (5 counts) Illegal Use of Motor Vehicle	Assault (2 counts)	97. House Break and Larceny Burglary (2 counts) Larceny (2 counts) Attempted Burglarly Assault with Intent to Prevent Apprehension	Dwelling House Break and Larceny Attempt Break, Enter and Larceny Damage Property Kindergarten Break and Larceny School Break and Larceny Illegal Use (3 counts) Larceny (6 counts) Carry Offensive Weapon Unlawful Possession Dwelling House Break, Enter and Larceny Armed Robbery (2 counts) Office Break and Larceny Illegal Use DUI PCA
75. Manslaughter	Assault Occasioning Actual Bodily Harm	Escape Prison (2 counts) Interfere with Motor Vehicle	House Break and Larceny Chemist Break and Larceny
76. Forgery Uttering	Forgery Uttering False Pretences Assault Police (2 counts) Resist Arrest	98. Burglary	Indecent Assault Drive Disqualified
77. Damage Government Car Resist Arrest Assault Police Assault	Illegal Use Drive Disqualified	99. Possess LSD	Common Assault Assault with Intent to Rape Rape Common Assault (2 counts) Assault OABH Illegal Interference
78. Drive Motor Vehicle without Consent (3 counts) Drive Disqualified Club Break, Enter and Larceny Beach House Break, Enter and Steal (4 counts) Interfere with Motor Vehicle	Receiving Goods in Custody Break, Enter and Steal Forge and Utter Robbery with Violence	100. Illegal Use of Motor Vehicle (3 counts) Drive Disqualified (2 counts) DUI Office Break, Enter and Larceny	Office Break with Intent Office Break and Larceny
79. Office Break and Larceny Larceny	House Break and Larceny House Break and Larceny	101. Assault OABH House Break and Larceny Larceny Forgery (3 counts) Utter (2 counts) Cancellation of Parole	House Break and Larceny House Break and Larceny (2 counts)
80. Fraud False Pretences	House Break and Larceny House Break and Larceny	102. Indecent Assault (3 counts)	House Break and Larceny House Break and Larceny (2 counts)
81. Armed Robbery Receiving Break, Enter and Larceny Break Enter and Larceny (8 counts)	Armed Robbery Common Assault Wilful Damage	103. Illegal Use Cancellation of Parole	House Break and Larceny House Break and Larceny (2 counts)
82. Armed Robbery	Possess Stolen Property Possess Stolen Property Drive Disqualified Flat Break, Enter and Larceny Larceny Flat Break, Enter and Larceny (2 counts) Unit Break, Enter and Larceny Larceny Fail to attend Court on Summons	104. Arson Drive Disqualified	House Break and Larceny House Break and Larceny (2 counts)
83. Office Break and Enter Unlawful and Malicious Damage Office Break and Enter	Drive Disqualified	105. Receive Stolen Goods Possess Stolen Goods Receiving Larceny Attempt House Break and Enter Possess House Break Implements	House Break and Larceny House Break and Larceny (2 counts)
84. House Break and Larceny Hall Break and Larceny	Drive Disqualified Dwelling House Break, Enter and Larceny Shop Break and Larceny (4 counts) House Break and Larceny Office Break and Larceny Break, Enter with Intent Larceny (2 counts) Assault Hotel Break and Larceny Breach Restraining Order Wilful Damage	106. Warehouse Break with Intent to Steal Drive while Disqualified Unit Break and Larceny (3 counts) House Break and Larceny (5 counts) Larceny (2 counts) Attempt House Break and Larceny (2 counts)	House Break and Larceny House Break and Larceny (2 counts)
85. Possess Drug for Sale Common Assault (2 counts) House Break and Larceny Office Break and Larceny	Drive Disqualified Dwelling House Break, Enter and Larceny Shop Break and Larceny (4 counts) House Break and Larceny Office Break and Larceny Break, Enter with Intent Larceny (2 counts) Assault Hotel Break and Larceny Breach Restraining Order Wilful Damage	107. Unit Break and Larceny (3 counts) House Break and Larceny (5 counts) Larceny (2 counts) Attempt House Break and Larceny (2 counts)	House Break and Larceny House Break and Larceny (2 counts)
86. Drive Motor Vehicle without Consent Drive Disqualified (2 counts) Possess Suspected Stolen Goods Drive while Disqualified (3 counts) Service Station Break and Larceny	Drive Disqualified Dwelling House Break, Enter and Larceny Shop Break and Larceny (4 counts) House Break and Larceny Office Break and Larceny Break, Enter with Intent Larceny (2 counts) Assault Hotel Break and Larceny Breach Restraining Order Wilful Damage	108. False Pretences (2 counts)	House Break and Larceny House Break and Larceny (2 counts)
87. House Break and Larceny (2 counts)	Drive Disqualified Dwelling House Break, Enter and Larceny Shop Break and Larceny (4 counts) House Break and Larceny Office Break and Larceny Break, Enter with Intent Larceny (2 counts) Assault Hotel Break and Larceny Breach Restraining Order Wilful Damage	109. Possess Stolen Property (2 counts) Break, Enter and Larceny Club Rooms Break, Enter Dwelling Stole Money (2 counts) Use Motor Vehicle without Consent	House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
88. Escape from Police Flat Break and Larceny	House Break and Larceny Office Break and Larceny Break, Enter with Intent Larceny (2 counts) Assault Hotel Break and Larceny Breach Restraining Order Wilful Damage	110. Cause Death by Dangerous Driving Drive Disqualified	Attempted Murder
89. Club Room Break, Enter and Steal Escape from Prison	Hotel Break and Larceny Breach Restraining Order Wilful Damage	111. Drive Disqualified (2 counts)	Work Shop Break and Larceny Larceny Obtain Credit by Fraud False Pretences (3 counts) Unlawful Possession of Motor Vehicle House Break and Larceny House Break and Larceny House Break and Larceny Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
90. Hotel Break and Larceny (2)	Hotel Break and Larceny Breach Restraining Order Wilful Damage	112. Rape Untrue Representation	House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
91. False Pretences (17 counts) Receiving (5 counts) Attempted False Pretences (4 counts)	Receive Stolen Goods False Pretences Attempt Flat Break Receive Stolen Goods False Pretences Illegal Use Trespass Assault Police Offensive Language Larceny	113. Assault (3 counts)	House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
92. Assault with Intent to Rob Larceny from House Shop Break with Intent to Steal	Receive Stolen Goods False Pretences Attempt Flat Break Receive Stolen Goods False Pretences Illegal Use Trespass Assault Police Offensive Language Larceny		House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
93. Break, Enter and Larceny (4 counts) Larceny (2 counts) Drive without Consent	Larceny (8 counts) Receiving (2 counts) False Pretences		House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
94. Possess Heroin for Sale Possess Heroin Accessory before the Fact Armed Robbery	Breach of Recognizance School Break and Larceny Uttering		House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
95. Robbery with Violence (3 counts)	Breach of Recognizance School Break and Larceny Uttering		House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use
96. Office Break, Enter and Steal School Break, Enter and Steal Shop Break, Enter and Steal Road House Break, Enter and Steal Club Break, Enter and Steal Club Break, Enter and Steal	Breach of Recognizance School Break and Larceny Uttering		House Break and Larceny House Break and Larceny (2 counts) House Break and Larceny House Break and Larceny (2 counts) Break Enter and Larceny Attempt Break Enter and Larceny Receiving Possess House Break Implements Flat Break Enter and Larceny Surgery Break and Larceny (2 counts) Factory. Break and Larceny (2 counts) Office Break and Larceny School Break and Larceny Assault Office Break with Intent Surgery Break with Intent Office Break with Intent Wilful Damage Illegal Use

<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>New Offence</i>
114. Larceny from Person (2 counts) Robbery with Violence	Possession of Cannabis for Sale	130. Shop Break and Larceny (2 counts) Work Shop Break and Larceny Hotel Break and Larceny Drive under Influence Dangerous Driving	Shop Break and Larceny Office Break and Larceny
115. False Pretences (10 counts) House Break and Larceny Office Break and Larceny (2 counts) Drive Motor Vehicle without Consent Larceny (2 counts)	False Pretences (3 counts) State False Name	131. Wilful Damage (7 counts) Illegal Interference Illegal Use Garage Break with Intent Service Station Break with Intent Club House Break and Larceny Larceny (2) Drive Motor Vehicle without Consent (2 counts) Escape Custody	Illegal Interference (2 counts) Unlawfully on Premises Drive Disqualified Offensive Language Resist Arrest
116. House Break, Enter and Steal Hotel Break and Steal Illegal Use	Office Break and Enter Larceny	132. House Break and Larceny (6 counts) Drive Motor Vehicle without Consent (2 counts)	Armed Robbery (6 counts)
117. Shop Break and Larceny Possess Heroin Larceny	Illegal Use Dwelling House Break and Enter Flat Break and Enter Break, Enter and Steal Office Break and Larceny Traffic Heroin	133. House Break and Larceny Illegal Use of Motor Vehicle Receiving (2 counts)	Drive Disqualified Unlawful Possession
118. Shop Break and Larceny Shop Break with Intent to Steal Possess substance containing methylamphetamine	Larceny of a Motor Vehicle	134. False Pretences Newsagency Break with Intent to Steal Office Break and Larceny Unlawful Sexual Intercourse Larceny	House Break and Larceny Larceny Office Break and Larceny Attempt House Break and Larceny House Break and Larceny House Break with Intent Shop Break and Larceny House Break and Larceny House Break with Intent Office Break and Larceny House Break and Larceny Indecent Assault Attempted Break and Enter Break, Enter and Larceny
119. Drive Disqualified Drive without Consent Illegal Use of Motor Vehicle	Possess House Breaking Implements by Night	135. Attempted Rape	
120. House Break and Larceny Larceny Drive Motor Vehicle without Consent	House Break and Larceny (2 counts)	136. House Break and Larceny Larceny (6 counts) Office Break with Intent to Steal Breach Recognizance Assault	Drive Disqualified
121. House Break and Larceny Armed Robbery Drive Motor Vehicle while Disqualified (3 counts) Drive Motor Vehicle without Consent Suspected Person	Armed Robbery	137. Break, Enter and Steal Suspended Sentence Revoked	House Break and Larceny Setting Fire to Goods on Premises Rape (5 counts) House Break and Larceny
122. Breach of Recognizance Possess Morphine Possess Hashish Chemist Break Attempt to commit Felony Attempted Robbery (2 counts)	Drive Disqualified	138. House Break and Larceny Drive Motor Vehicle without Consent	House Break and Larceny Setting Fire to Goods on Premises Rape (5 counts) House Break and Larceny
123. House Break and Larceny House Break with Intent Receive Stolen Goods Possess Stolen Property Drive Motor Vehicle without Consent Possess House Break Implements Assault	False Name and Address Illegal Use of Motor Vehicle Wilful Damage Larceny Assault Assault House Break, Enter and Larceny House Break, Enter with Intent to Steal House Break, Enter and Larceny House Break, Enter and Larceny Assault Illegal Interference of Motor Vehicle	139. Larceny False Pretences (2 counts) 140. Rape (2 counts) Rape Assault with Intent to Rape 141. Untrue representation (5 counts) False Pretences (6 counts) Larceny	Rape Indecent Assault House Break and Larceny (3 counts) Larceny Imposition (2 counts) Unit Break and Larceny (2 counts) Receiving (2 counts) Drive Disqualified Break, Enter and Larceny
124. Robbery with Violence Robbery (3 counts)	House Break, Enter and Larceny House Break, Enter and Larceny House Break, Enter and Larceny House Break, Enter and Larceny Assault Illegal Interference of Motor Vehicle	142. Common Assault 143. Break, Enter and Larceny Attempt to Commit Felony (2 counts) 144. Manslaughter Wounding with Intent to do Grievous Bodily Harm 145. Break, Enter and Larceny Forgery Uttering 146. Larceny Drive without Consent Assault Police 147. Robbery with Violence	Building Break and Larceny Shop Break and Larceny (2 counts) Illegal Interference Assault Occasioning Actual Bodily Harm Attempted House Break and Larceny Larceny from Dwelling House Disorderly Behaviour Disorderly Behaviour Resist Arrest Unlawful Possession Escape Lawful Custody
125. Dwelling Break and Larceny (2 counts) Dwelling Break with Intent to Steal	Drive Disqualified Illegal Use Larceny Larceny Obtain Petrol by Fraud	148. Rape (10 counts) Attempted Rape (3 counts) 149. Larceny Give False Name Break and Enter Shop 150. House Break and Larceny (5 counts) Larceny (2 counts) 151. Armed Robbery 152. Break, Enter and Larceny False Pretences (4 counts) 153. House Break and Larceny Assault Police Possess Stolen Property 154. Shop Break and Larceny (3 counts) Larceny Assault	Armed Robbery Break, Enter and Larceny Break, Enter and Larceny Soliciting with Immoral Purposes Wilful Damage Armed Robbery
126. Interfere with Motor Vehicle Use of Motor Vehicle without Consent Drive while Disqualified (2 counts) Drive Dangerously	Burglary Assault with Intent to Rob Assault Causing Actual Bodily Harm Assault Assault Assault Larceny Receiving		
127. Interfere with Motor Vehicle Drive Motor Vehicle without Consent Assault Possess Stolen Property Drive Under Influence Drive while Disqualified Drive Motor Vehicle without Consent			
128. Rape Assault			
129. False Pretences (3 counts) Attempted False Pretences Receiving (2 counts) House Break and Larceny Larceny (2 counts) Illegal Use			

<i>Original Offence</i>	<i>New Offence</i>	<i>Original Offence</i>	<i>New Offence</i>
155. Armed Robbery	Armed Robbery Armed Robbery Armed Robbery	177. Uttering (9 counts) Drive while Disqualified Accessory after the Fact	Illegal Interference with Motor Vehicle Receiving Drive Disqualified
156. House Break and Larceny (4 counts) Break and Enter with Intent to Steal Break, Enter and Larceny (2 counts) Drive Disqualified (2 counts) Assault	Possess House Breaking Implements Illegal Use Receiving Break and Enter with Intent Common Assault House Break and Larceny	178. Sell LSD Possess LSD 179. School Break Larceny	Illegal Use Present False Statement
157. Receiving School Break and Larceny House Break and Larceny Flat Break and Larceny Larceny (3 counts) Illegal Use Unlawful Use (3 counts) Unlawful Possession		180. Breach of Recognizance House Break and Larceny 181. Drive Motor Vehicle without Consent Club House Break and Larceny 182. Drive Motor Vehicle without Consent (2 counts)	Assault Occasioning Actual Bodily Harm Illegal Use (4 counts) Drive Manner Dangerous Speed Manner Dangerous (2 counts) Drive Disqualified Disorderly Behaviour Resist Arrest Illegal Use Resist Arrest Assault
158. Drive Disqualified Break, Enter and Larceny	Drive Disqualified Drive Disqualified Illegal Use DUI Illegal Use Receiving	183. House Break and Larceny	False Pretences Larceny False Representation False Pretences Untrue Representation
159. Drive without Consent		184. Assault OABH Assault OABH Assault Police 185. False Pretences Forgery House Break and Larceny	Assault
160. Receiving (5 counts) False Pretences (2 counts) Possess Stolen Property		Questions 2 and 3 Regarding Breach Conditions for 1987-88 Financial Year	
161. Chemist Break and Larceny Armed Robbery (2 counts) Unlawfully on Premises	Possess Heroin (2 counts) DUI Illegal Use Armed Robbery	<i>Original Offence</i> 1. Drive without Consent Shop Break and Larceny Interfere with Motor Vehicle Assault (5 counts) Illegal Use of Motor Vehicle	<i>Breach of Condition</i> No alcohol
162. Attempt Escape Armed Robbery Armed Robbery Pharmacy Break Attempt Escape		2. Murder 3. Club House Break and Larceny (2 counts) Escape Custody	Not Leave State Absconding
163. False Pretences Larceny Sell without Lessor Consent Hire Motor Vehicle by Misrepresentation	False Pretences	4. Robbery with Violence (2 counts) 5. Murder 6. False Imprisonment (3 counts) Common Assault (2 counts)	Absconding Reporting No alcohol
164. House Break and Larceny (2 counts) Untrue representative Drive without Consent Club Break and Larceny	Assault Occasioning Actual Bodily Harm	7. House Break with Intent to Steal House Break and Larceny 8. House Break with Intent to Steal House Break and Larceny	Reporting Absconding
165. Shop Break and Larceny	Shop Break and Larceny Drive Disqualified	9. Possess Prohibited Drug House Break and Larceny Unlawful Possession	Reporting
166. Drive Motor Vehicle without Consent (3 counts) Drive while Disqualified (4 counts)		10. False Pretences 11. False Pretences (6 counts) Attempted False Pretences (2 counts) Illegal Use Larceny of a Stamp	Absconding Residence Absconding
167. Receiving Shop Break and Larceny Office Break and Larceny	Carry Offensive Weapon Wilful Damage	12. Attempted Murder (2 counts) Assault Occasioning Actual Bodily Harm	Disobey PO Residence
168. Unlawfully and Maliciously Inflict Grievous Bodily Harm Assault (2 counts) Drive Disqualified	Illegal Use of Motor Vehicle Drive Disqualified Drive Disqualified Drive Unregistered House Break and Enter with Intent Larceny Illegal Use of Motor Vehicle	13. Shop Break and Larceny (3 counts) Club Room Break and Larceny Larceny of a Motor Vehicle Interfere with Motor Vehicle (4 counts) Building Break and Larceny Warehouse Break and Larceny Illegal Use of Motor Vehicle Office Break and Larceny (2 counts)	Reporting Residence Psych. Assessment
169. Larceny (5 counts) Illegal Use of Motor Vehicle (2 counts) Hospital Break, Enter and Larceny Interfere with a Motor Vehicle without Consent		14. Interfere with Motor Vehicle 15. Robbery 16. Trade in Indian Hemp Possession Indian Hemp for Trade Possession Amphetamine Possession Indian Hemp Larceny (7 counts) Possession Implements (2 counts) Forge and Utter Surgery Break and Larceny Forgery (13 counts) Uttering (13 counts) Illegal Use of Motor Vehicle Larceny from the Person Revoked Suspended Sentence	Absconding Reporting Reporting No drugs
170. House Break and Larceny Drive while Disqualified (3 counts) House Break and Larceny Drive while Disqualified (3 counts) House Break and Larceny House Break and Larceny	Illegal Interference Resist Arrest Larceny Receiving Break, Enter and Larceny False Name	17. School Break and Larceny (2 counts) Receiving Possess House Breaking Implements	Reporting
171. False Pretences (3 counts)	Forgery (3 counts) Uttering (3 counts) False Pretences Larceny Attempt Murder Unlawful Wounding	18. Break, Enter and Steal	No alcohol No association Reporting
172. Burglary Malicious Damage Larceny (2 counts)			
173. House Break and Larceny (4 counts)	Burglary House Break and Larceny (5 counts) Larceny (3 counts) Unlawfully on Premises (2 counts)		
174. Club Break, Enter and Steal (2 counts) Larceny Larceny of Motor Vehicle	Office Break and Larceny Office Break and Larceny Shop Break and Larceny Larceny (2 counts)		
175. Hotel Break, Enter and Larceny Armed Robbery	Hotel Break, Enter and Larceny		
176. Escape from Police Wilful Damage Drive Motor Vehicle without Licence	Receiving House Break and Larceny Give False Name and Address		

<i>Original Offence</i>	<i>Breach of Condition</i>	<i>Original Offence</i>	<i>Breach of Condition</i>
19. Larceny Surgery Break and Larceny Office Break and Larceny	Absconding	59. Estreatment of Recognizance Dwelling House Break and Larceny (2 counts) Receiving (2 counts) Intent to Defraud	Reporting No drugs
20. False Pretences	Obey PO	60. Possess Heroin for Trading	Reporting
21. House Break and Larceny (2 counts)	Reporting (2)	61. House Break with Intent Drive without Consent (2 counts) House Break and Larceny Escape Custody	Absconding
22. Attempt Dwelling House Break and Enter	Absconding Absconding	62. Warehouse Break and Enter with Intent	Reporting No alcohol
Attempt Dwelling House Break and Enter with Intent	Neuro-psych assessment	63. Assault (3 counts)	Reporting Psych. Assessment Leave State
Intefere with Motor Vehicle without Consent		64. Robbery	
Use Motor Vehicle without Consent		65. Break and Enter Dwelling House Commit Felony (2 counts)	Reporting
23. Unlawful Sexual Intercourse Indecent Assault	No alcohol	66. Drive without Consent Damage Property Drive Disqualified Office Break, Enter and Larceny (2 counts)	Absconding
24. False Pretences (7 counts)	Residence Good Behaviour Reporting	67. Shop Break, Enter and Larceny Drive whilst Disqualified Larceny (2 counts) Unlawful use of Motor Vehicle (6 counts) Assault Police Unlawfully on Premises	No alcohol No licensed premises
25. False Pretences	Absconding	68. Assault Police	No alcohol
26. Drive Motor Vehicle without Consent		69. Larceny from Person House Break and Larceny Attempted House Break with Intent	Absconding
Break and Enter School		70. Manslaughter	Absconding
Break and Enter Dwelling House *		71. Breach of Recognizance Possess Property Suspected Stolen Larceny from Person Common Assault	Absconding
42. Assault	Guardianship Board (4)	72. Aid and Abet Cultivation of Indian Hemp	Psych. Assessment
Breach of Recognizance		73. Flat Break and Larceny	Good Behaviour Residence Absconding
43. Armed Robbery	No contact	74. House Break, Enter and Steal Hotel Break, Enter and Steal Illegal Use of Motor Vehicle	
44. Possess LSD	Absconding	75. Falsification of Accounts (8 counts)	Absconding
45. Imposition (5 counts) False Pretences (6 counts) Forgery (2 counts) Uttering (2 counts) Assault Attempted False Pretences Larceny (cheque book)	Absconding	76. Rape	Absconding
46. Conspiracy to pervert the course of Justice	Absconding	77. Drive whilst Disqualified Drive without Consent Illegal Use of Motor Vehicle	Absconding
Cultivate Indian Hemp (3 counts) Trade in Indian Hemp		78. Break, Enter and Larceny	Absconding
47. Escape Custody (2 counts) Wilful Damage	Absconding	79. False Pretences (3 counts) Larceny Forgery (2 counts) Uttering (2 counts) Unlawful Possession Break, Enter and Steal Receiving (5 counts)	Reporting
Assault		80. Armed Robbery	Non-association
Attempted False Pretences		81. Shop Break and Larceny	Absconding
Larceny (cheque book)		82. Possess House Break Implements Larceny False Pretences (4 counts) House Break and Larceny	Absconding
46. Conspiracy to pervert the course of Justice	Absconding	83. House Break and Larceny House Break with Intent Receive Stolen Goods Possess Stolen Property Drive Motor Vehicle without Consent Possess House Break Implements Assault	Reporting
Cultivate Indian Hemp (3 counts) Trade in Indian Hemp		84. House Break and Larceny	Reporting Residence
47. Escape Custody (2 counts) Wilful Damage	Absconding	85. Assault with Intent to Rob Break, Enter and Steal Assault (2 counts)	
Assault		86. Unlawful Wounding	Reporting
Drive whilst Disqualified		87. Forgery (4 counts) Uttering Unlawful Possession Obtaining by False Pretences	Absconding
Sell Motor Vehicle without Consent		88. Unlawful Possession House Break and Larceny Shop Break and Larceny Armed Robbery	Absconding
Possess Stolen Property Larceny of a Motor Vehicle		89. School Break and Larceny (2 counts)	Absconding D&ASC
48. Service Station Break and Larceny Attempt Office Break and Larceny Carry Offensive Weapon Assault Police (2 counts)	Absconding	90. Armed Robbery (3 counts)	Absconding
49. Assault Occasioning Actual Bodily Harm	Absconding D&ASC	91. Shop Break and Enter with Intent Unlawful Use of Motor Vehicle	Absconding
House Break and Larceny Larceny Forge (3 counts) Utter (2 counts)		92. Burglary	No alcohol
50. Break, Enter and Commit Felony Larceny (2 counts) Receiving Fraud Breach of Recognizance	Reporting		
51. House Break and Larceny (5 counts) Shop Break and Larceny (2 counts) Store Break and Larceny Attempted House Break Possess Heroin Possess Equipment for Heroin Breach Consumer Act	Absconding		
52. Larceny (3 counts) Drive Motor Vehicle whilst Disqualified (2 counts)	Absconding		
53. Burglary	Good Behaviour		
Assault with Intent to Rape Assault (2 counts) Wilful Damage (2 counts)			
54. House Break and Larceny (2 counts) Service Station Break and Larceny Attempted House Break with Intent	No alcohol		
55. Drive without Consent Escape from Prison Illegal Use of a Motor Vehicle	Absconding		
56. Rape (2 counts) Attempted Rape	Reporting		
57. Shop Break, Enter and Steal Cancellation of Parole	Absconding Disobey PO		
58. Set Fire to Goods in a Building	Absconding		

* Further details to appear in Legislative Council *Hansard* of 8 November 1988.

<i>Original Offence</i>	<i>Breach of Condition</i>	<i>Original Offence</i>	<i>Breach of Condition</i>
93. Assault with Intent to commit Felony Larceny Assault to commit a Felony	No alcohol Abscond D&ASC Reporting	119. Break, Enter and Larceny Attempt to commit Felony	Residence No alcohol Reporting Residence Reporting (2)
94. Carry Offensive Weapon Interfere with Motor Vehicle Receiving Use Motor Vehicle without Consent	Absconding	120. Set Fire to Fence Set Fire to a Building Shed Break, Enter and Larceny Receive Stolen Property Larceny	Absconding
95. Armed Robbery Larceny Escape Legal Custody	Reporting	121. Indecent Assault Assault Occasioning Actual Bodily Harm Breach of Bail Agreement	Good Behaviour Reporting
96. False Pretences (3 counts) Attempted False Pretences Receiving (2 counts) House Break and Larceny Larceny (2 counts) Illegal Use Unlawful Possession	Reporting No licensed premises	122. Hospital Break with Intent Attempted Felony Namely to Steal 123. Armed Robbery 124. Murder 125. Break, Enter and Larceny Illegal Use Larceny Drive Disqualified Wilful Damage	Reporting (2) Abscond Absconding No drugs
97. Drive Disqualified (2 counts) Illegal Use (3 counts) Disorderly Behaviour Assault with Intent to Rob in Common	No licensed premises Employment Accommodation	126. Assault with Intent to Rob 127. Interfere with Motor Vehicle Use Boat without Consent Cancellation of Parole	Absconding Absconding
98. Drive Disqualified Drive under Influence Drive Motor Vehicle without Consent	Psych. Assessment	128. Interfere with Motor Vehicle	Warning Letter Warrant and Extradite Reporting
99. Assault Receiving Assault Occasioning Actual Bodily Harm	Reporting (2)	129. Assault Occasioning Actual Bodily Harm House Break and Larceny	Absconding D&ASC Assessment
100. Shop Break and Larceny Unlawful Possession Shed Break and Larceny Larceny	Reporting	130. Breach of Recognizance (original offence Illegal Use) Drive without Consent (3 counts)	No alcohol
101. Illegal Use of Motor Vehicle (5 counts)	Good Behaviour Disobey PO Absconding Absconding	131. House Break, Enter and Steal Hotel Break, Enter and Steal Illegal Use of Motor Vehicle	Absconding Reporting No alcohol Reporting Absconding D&ASC Assessment Absconding Reporting D&ASC Assessment (2) Breach reporting Absconding
102. Rape (5 counts) Attempted Rape	No drugs D&ASC No alcohol	132. Armed Robbery 133. Shop Break and Larceny	No alcohol
103. Wilful Damage (7 counts) Illegal Interference Illegal Use Garage Break with Intent Service Station Break with Intent Club House Break and Larceny (2 counts) Drive Motor Vehicle without Consent (2 counts) Escape Custody	Absconding Absconding	134. Receiving 135. Forgery (2 counts) Uttering 136. House Break and Enter 137. Armed Robbery Breach of Parole 138. Burglary 139. Illegal Use of Motor Vehicle Drive under the Influence Drive Dangerous Resist Police Drive while Disqualified Drive Motor Vehicle without Consent	Absconding Reporting No alcohol Reporting Absconding D&ASC Assessment Absconding Reporting D&ASC Assessment (2) Breach reporting Absconding
104. House Break and Larceny False Pretences	Absconding Absconding	140. Assault Obstruct, Break and Enter	No alcohol
105. Drive Disqualified Breach Recognizance	Reporting	141. Break, Enter Housing 142. False Pretences 143. Forge Document 144. Import Prohibited 145. Break and Enter House 146. Break, Enter House Unlawfully on Premises	Absconding (2) Absconding Absconding No drugs Absconding Absconding
106. Arson	Disobey PO directions Absconding Good Behaviour	147. Assault Bar Break and Larceny Shop Break and Larceny (2 counts) Wilful Damage	Reporting
107. House Break and Larceny (6 counts) Drive Motor Vehicle without Consent (2 counts)	Good Behaviour	148. False Pretences	Reporting Residence Obey PO urine testing Medical assessment Reporting Absconding Absconding Reporting Reporting
108. Assault Drive Disqualified (4 counts) Club House Break and Larceny Drive under Influence Exceed .08	Reporting	149. Robbery or Attempted (2 counts)	Absconding (2) Absconding Absconding No drugs Absconding Absconding
109. Attempted Rape	Reporting Drugs D&ASC	150. Break and Enter House 151. Possess Heroin for Sale 152. Cultivate Indian Hemp 153. Wound causing Greivous Bodily Harm	Reporting Residence No alcohol Good behaviour bond Reporting Reporting Absconding Absconding
110. House Break and Steal	Reporting (3) Absconding Absconding	154. Break and Enter House	Reporting Residence No alcohol Good behaviour bond Reporting Reporting Absconding Absconding
111. Malicious Damage in the Night School Break and Larceny Unlawfully on Premises (2 counts) Breach of Recognizance	Reporting (3)	155. Burglary 156. Break and Enter Club 157. Break and Enter House 158. 159. Robbery in Company Breach Recognizance (2 counts) Illegal Use of Motor Vehicle (2 counts)	Reporting Residence Absconding Good behaviour Reporting
112. Arson Malicious Damage in the Night	No alcohol	160. Break, Enter and Larceny (2)	Residence Absconding Absconding Good behaviour Reporting
113. Shop Break and Larceny Escape Police Custody Unlawful Possession	No alcohol	161. Inflict Greivous Bodily Harm 162. Robbery or Attempted	Residence Absconding Good behaviour Reporting
114. Break and Enter Dwelling	No alcohol		
115. Break, Enter and Larceny 116. Breach of Recognizance Illegal Use of Motor Vehicle	No alcohol		
117. Boarding House Break and Larceny Larceny House Break and Larceny (5 counts) Larceny Office Break and Larceny Drive without Consent Larceny Interfere with Motor Vehicle Drive Unlicensed Larceny	No alcohol		
118. Break, Enter and Larceny House Break and Larceny	No alcohol		

<i>Original Offence</i>	<i>New Offence</i>
163. Break and Enter Shop	No alcohol
164. Driving whilst Disqualified	Reporting
165. Break and Enter Shop	Absconding
	Residence
166. False Pretences (2 counts)	No drugs
	D&ASC assessment
	Reporting
167. Unlawful Use of Motor Vehicle (2 counts)	Reporting (2 counts)
168. Robbery with Violence	Absconding
169. Break and Enter House	Reporting
170. Indecent Assault	No contact
171. Break and Enter Dwelling	Reporting (2)
	Obeys PO
172. Unlawful Use of Motor Vehicle	Absconding
173. Possess Heroin for Sale	No drugs
174. Attempted Murder	Absconding
Armed Robbery	
Kidnapping	
Larceny	
175. Break and Enter Shop	Reporting
176. Break and Enter Shop	Absconding
177. Possess Indian Hemp	Residence
178. Receiving Principal	Absconding
179. Common Assault	No alcohol
180. Robbery or Attempted	Reporting
	Residence
181. Possess Drug of Addiction	No drugs
182. Break and Enter House	Reporting
183. Breach of Recognizance	Reporting
Break, Enter and Larceny	
House Break and Larceny (3 counts)	
House Break and Larceny (3 counts)	
Assault	
184. Fraudulent Misappropriation	Absconding
185. Break and Enter House	No drugs (2)
Breach of Recognizance	
186. Possess Heroin for Sale	Reporting
187. Robbery or Attempted	No alcohol
	Good behaviour
188. Breach of Recognizance	Absconding
189. Forge on Utter Deeds	Reporting
190. Larceny on Others	Reporting
191. Accessory after Fact (2 counts)	No licensed premises
	No alcohol
	Absconding
192. Inflict Grievous Bodily Harm	No alcohol
193. Breach of Parole	Absconding
194. Murder	Residence
	Absconding
195. Break and Enter Other School	Reporting
196. Unlawful Use of Motor Vehicle	Reporting
	Residence (2)
	Absconding
197. Driving Motor Vehicle without Consent (8 counts)	Good behaviour
Speeding	
198. Unlawful Use of Motor Vehicle (3 counts)	Disobey PO
199. Break and Enter	Reporting (3)
200. House Break and Enter	Absconding
201. Unlawful Use of Motor Vehicle	Absconding
	Reporting
	Residence
202. False Pretences	Reporting
	Residence
203. Unlawful Use of Motor Vehicle	No alcohol
204. Fraud	No drugs
Forgery	
False Pretences	
205. House Break and Enter	Reporting
206. Assault with Intent	Reporting
207. Burglary	No alcohol
208. Arson	No alcohol
209. Break and Enter Shop	Reporting
210. Break and Enter	No alcohol
211. House Break and Enter	No alcohol
212. Break and Enter Shop	No alcohol
	Reporting
213. Robbery or Attempted	No alcohol
214. Assault	No alcohol
Obstruct	
215. Unlawful Use of Motor Vehicle	No alcohol
216. Suspended Sentence	No drugs
	Residence
217. Unlawful Use of Motor Vehicle	Reporting
218. Inflict Grievous Bodily Harm	No alcohol
219. Break and Enter Office	Reporting
220. Unlawful Use of Motor Vehicle	Reporting

PUBLIC WORKS COMMITTEE REPORTS

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Goodwood Orphanage—Educational Services Centre;
Royal Adelaide Hospital—Theatres, Admissions and Discharges—Redevelopment.

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner):

Reports, 1987-88—

Department of State Development and Technology
Lotteries Commission of S.A.
Legal Services Commission of S.A.
North Haven Trust
Planning Appeal Tribunal
Department of Labour
Office of Employment and Training
Correctional Services Advisory Council
Country Fire Services
Casino Supervisory Authority
Long Service Leave (Building Industry) Board
Parliamentary Standing Committee on Public Works—61st General Report.
Rules of Court—Supreme Court—Supreme Court Act 1935—Injunctions.
South Australian Friendly Societies' Association—Rules. Evidence Act 1929—Report relating to Suppression Orders, 1987-88.
Metropolitan Taxi-Cab Act 1956—Regulations—Hire Cars.
Workers Compensation Appeal Tribunal—Rules—General.

By the Minister of Consumer Affairs (Hon. C.J. Sumner):

Department of Public and Consumer Affairs—Report, 1987-88.
Landlord and Tenant Act 1936—Regulations—South Australian Brewing Co.—Exemption.
Liquor Licensing Act 1985—Regulations—Liquor Consumption—Thebarton Oval.

By the Minister of Corporate Affairs (Hon. C.J. Sumner):

Corporate Affairs Commission—Report, 1987-88.

By the Minister of Tourism (Hon. Barbara Wiese):

Reports, 1987-88—
South Australian Psychological Board
Occupational Therapists Registration Board of S.A.
Department of Recreation and Sport
South-Eastern Drainage Board
Chiropractors Board of S.A.
South Australian Egg Board
Woods and Forests Department
Citrus Board of South Australia—Report, for year ended 30 April 1988.
Director-General of Education—Report, 1987.
Australian Agricultural Council—Resolutions, 130th Meeting, 14 July 1988.
Department for Community Welfare—Report, 1987-88.
Regulations under the following Acts—
Electricity Trust of South Australia Act 1946—Vegetation Clearance.
Pitjantjatjara Land Rights Act 1981—Mintabie Notice of Entry.
Seeds Act 1979—Seed Testing Fees.
Veterinary Surgeons Act 1985—Fees.
Glenside Hospital—By-laws—Trespass, Conduct and Parking.

Forestry Act 1958—Variation of proclamation—
 Caroline Forest Reserve—Hundred of Mac-
 Donnell—County of Grey
 Kongorong Forest Reserve—Hundred of Kongo-
 rong—County of Grey
 Mount Burr Forest Reserve—Hundred of Mount
 Muirhead
 Mount Gambier Forest Reserve—Hundred of
 Blanche—County of Grey
 Noolock Forest Reserve—Hundred of Mount Ben-
 son—County of Robe
 Penola Forest Reserve—Hundred of Nangwarry—
 County of Grey
 Tantanoola Forest Reserve—Hundred of Hind-
 marsh—County of Grey

By the Minister of Local Government (Hon. Barbara
 Wiese):

Local Government Finance Authority of South Aus-
 tralia—Report, 1987-88.
 South Australian Local Government Grants Commis-
 sion—Report, 1988.
 Corporation By-laws—
 Port Lincoln—No. 6—Newspapers and Merchan-
 dise
 Berri—No. 2—Garbage Containers.
 District Council By-laws—
 Lower Eyre Peninsula—
 No. 1—Permits and Penalties
 No. 2—Street and Public Places.
 Yorketown—No. 28—Animals and Birds.
 Municipal Council of Roxby Downs—
 No. 1—Control and Licensing of Taxis
 No. 2—Street Traders
 No. 3—Garbage Removal
 No. 4—Caravans
 No. 5—Reserves, Ovals, Plantations, Parks and
 Playgrounds and other Public Places
 No. 6—Permits and Penalties.

MINISTERIAL STATEMENT: NATIONAL CRIME AUTHORITY

The Hon. C.J. SUMNER (Attorney-General): I seek leave
 to make a statement.

Leave granted.

The Hon. C.J. SUMNER: On 16 August 1988 I delivered
 a detailed statement to the Council in relation to a report
 received from the National Crime Authority on certain
 South Australian investigations during 1986 and 1987. Fur-
 ther to that statement, I am now able to advise the Council
 that the South Australian Government has formally agreed
 to commit State funds for the establishment of a National
 Crime Authority (NCA) office in this state.

The Government has obtained the support of both the
 Commonwealth Government and the NCA to grant an
 additional reference to the authority to enable it to inves-
 tigate allegations of criminal activity and corruption in South
 Australia. This clears the way for the establishment of an
 NCA office in South Australia to investigate these matters.

The Government is confident that the Inter-Governmen-
 tal Committee which oversees the activities of the NCA
 will support the new reference at its next scheduled meeting
 later this month. The Government has formally approved
 funds for the establishment and the running costs of an
 NCA office. We have agreed to provide the funds based on
 NCA estimates of the running costs, estimated in this finan-
 cial year to be \$1.1 million (subject to operational require-
 ments).

The Government is also seeking the urgent amendment
 of the National Crime Authority Act 1984 (Commonwealth)
 to enable the appointment of additional members to the
 authority for specific investigations. Such an amendment
 will allow the appointment of an additional member to
 conduct investigations in South Australia, and to hold hear-

ings. Provisions in the NCA Act for additional members
 will be useful for the future should special inquiries be
 needed. The Commonwealth and the NCA have agreed to
 support the amendments, and I will be seeking the support
 of other members of the Inter-Governmental Committee as
 a matter of urgency.

Let me restate the Government's clear commitment to
 investigate thoroughly all allegations of corruption in South
 Australia. The NCA is independent and, on a reference, has
 coercive powers. As such, it provides the best avenue to
 tackle any corruption investigations. The Government's
 decision has been taken after initial consideration was given
 to the establishment of an anti-corruption unit.

The ministerial committee, after considering this option—
 which had been recommended by the recent NCA report—
 decided however to pursue the establishment of an NCA
 presence in South Australia. The advantages of an NCA
 office include utilising the authority's existing expertise and
 intelligence in investigations. The authority has available to
 it extensive powers of inquiry and, because it operates on
 a national level, it can pursue investigations across State
 borders.

QUESTIONS

SIGNPOSTING

The Hon. L.H. DAVIS: I seek leave to make a brief
 explanation before asking the Minister of Tourism a ques-
 tion about signposting.

Leave granted.

The Hon. L.H. DAVIS: This is the fourth time in 12
 months that I have directed a question to the Minister about
 signposting. I continue to raise this question because the
 Minister has simply not responded. First, last year the Min-
 ister acknowledged that signposting was a serious problem
 because of different policies and approaches between four
 parties, namely, the Highways Department, local govern-
 ment, environment and planning, and tourism. That led to
 inconsistency, inaction and frustration for many tourist
 operators legitimately seeking signposting.

The Minister established a working party to investigate
 signposting. It included representatives from those four
 Government agencies. It reported to the Minister last
 December, yet extraordinarily to date nothing has hap-
 pened—nearly a year later. That delay has meant that nine
 councils between Murray Bridge and Kapunda which reached
 agreement on improving signposting through their areas
 over 12 months ago have deferred that project pending the
 outcome of that report.

There is understandably considerable disquiet in those
 council areas that this improved signposting has been
 deferred while waiting for this well overdue report. Presum-
 ably there are other areas of the State where signposting
 projects have been delayed awaiting the working party's
 report and the Minister's decision on it.

Secondly, there appears to be a signposting problem with
 the Maritime Museum. Museum staff regularly receive com-
 plaints that it is difficult for many visitors to find this
 superb museum in the exciting Port Adelaide heritage area.
 That is somewhat ironic considering that the Maritime
 Museum only a few days ago won a national award for its
 contribution to heritage and cultural tourism.

Thirdly, in questions asked in this place on 6 November
 last year and 14 April and 18 August this year I referred to
 the matter of signposting for Bungaree station, north of
 Clare. It is now over two years ago since George and Sally

Hawker started their battle to get a sign to direct visitors to Bungaree station, which is 6 km beyond the Spalding to Jamestown road junction on the main road to Port Pirie. The Minister has persistently refused to acknowledge the problem.

She has said that the matter is trivial, but she has failed to tell the visitors who just keep getting lost going to Bungaree that it is trivial, and that again is ironic considering that Bungaree has also been a tourism award winner. The fact is that Bungaree station has yet to receive any communication from anyone in the Department of Tourism or the Government despite the fact that I have asked a question on three occasions in the past 12 months. My questions to the Minister are as follows:

Does the Minister believe that a regional tourism award winner such as Bungaree Station should be treated in such a high handed and arrogant manner? When will the report of the working party on signpostings be made publicly available to enable the signpostings to proceed as in the Barossa-Kapunda nine council agreement? Will the Minister immediately look at the fiasco of signposting which is still occurring in South Australia, pending her report, and will she also look as a matter of urgency at the matter of signposting for the Maritime Museum at Port Adelaide because, if she does not address this question, she may well go down as the Minister for getting lost?

The Hon. BARBARA WIESE: I suppose I should not be in the least surprised, but it never ceases to amaze me that the Hon. Mr Davis raises questions of the calibre of today's question on signposting at a time when things are working so well for South Australian tourism and when so many strides have recently been made to improve our tourism effort in South Australia. In the course of a week when we have been able to launch our biggest television advertising campaign ever—which has been received very well already, although the advertisements have been on air only since the weekend—and when people in the industry are rallying to the cause and feeling very pleased that things are moving in the right direction, and in a week when we have been successful in achieving two national winners in the national tourism awards and six highly commended awards, we hear from the Hon. Mr Davis on his tired and true line of questioning. It is rather disappointing that the Hon. Mr Davis seems never to be actually in touch with what is going on in the tourism area.

Members interjecting:

The Hon. BARBARA WIESE: Do you want to hear the answer or do you just want to talk about it?

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: Several things need to be addressed here. I would like to address the question of the signposting for Bungaree Station—

The Hon. C.J. Sumner: Yet again.

The Hon. BARBARA WIESE: Again, yes. The last time this question was raised in the Parliament I said that I had not followed up the matter because I understood that the matter had been addressed and that signposts had been installed. Following the Hon. Mr Davis's question some months ago, I followed it up again to make sure that my understanding was correct. Indeed, signposts had been erected on the roadway nearest to Bungaree Station.

Members interjecting:

The PRESIDENT: Order!

The Hon. BARBARA WIESE: The proprietors of Bungaree Station, when contacted recently (despite the information the Hon. Mr Davis has falsely given to this Council today) by my officers, as they have been on numerous

occasions in the past, indicated that they were very pleased that the signs had been erected in the area that I have just described.

However, they still would be pleased if a sign could be erected at the fork in the road going to Spalding, but they had not followed that up after the erection of previous signs because they wanted to test the water and see whether that would be adequate. In fact, the person at Bungaree Station to whom one of my officers spoke at the time laughed the matter off and said 'Oh, it's Legh having a go again.' However, when this was again drawn to my attention there was still another matter outstanding, and I made representations to my colleague the Minister of Transport to see whether some variation could be made to the position of the Highways Department on this issue.

It certainly seemed logical to me that a sign on that forked road would be desirable in the interests of tourists who wanted to visit Bungaree Station. It transpired that the Minister of Transport had, some time ago, notified me that such a sign would be erected. I anticipate that that will happen in the very near future.

In relation to the signposting of the Maritime Museum, that matter has not been drawn to my attention. However, I am sure that if Dr Fewster, the Director of the museum, felt that it was an issue that required my attention, he would raise it with me because I have reasonably frequent discussions with him about the work of the museum. I am surprised to hear what the honourable member is saying about this in view of the fact that some hundreds of thousands of people visit the museum every year—someone must be getting it right. However, if it is a problem that the museum has raised in the past, I will take it up and see if something can be done in the interests of allowing tourists more easily to find their way to the museum.

The signposting report was, in fact, for one reason or another, presented to me not in December but quite some time later, together with some recommendations from my officers who were concerned about some of the recommendations contained therein. Those issues have been taken up with the Minister of Transport so that compromises can be reached on the outstanding questions. That report will be available shortly for people in the industry who are interested in it. However, the availability of the report has not, in any way, affected the efforts of the numerous agencies, local government and tourism operators who are attempting—

The Hon. L.H. Davis interjecting:

The Hon. BARBARA WIESE: It has not!

The PRESIDENT: Order!

The Hon. BARBARA WIESE: —to improve signposting around South Australia. The signposting of the Kangaroo Island region has been completed and a program has been pursued in order to rectify signposting inadequacies in that region. There has been a review of the Flinders and outback region of the State. I hope that, over time, negotiations will take place with various authorities who might be in a position to upgrade the signposting in those areas. Reviews have also been undertaken in other parts of the State and, indeed, a number of applications for signposting have been approved by the various authorities based on what will be the new regulations.

Therefore, action has been taken and the signposting procedures are already being followed. Diligent work is being done by all who have some responsibility in this area to improve signposting around the State in the interests of tourists. Of course, this is not a matter that will be addressed or fixed overnight because the State is very large. Reviews which investigate the adoption of appropriate signposting

for particular areas of the State are complex exercises. However, I am sure that the majority of the problems will be addressed in a fairly short time.

ADELAIDE CHILDREN'S HOSPITAL

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

Leave granted.

The Hon. M.B. CAMERON: I understand from several sources that three specialist surgeons have recently resigned from the Children's Hospital. While I have not spoken to any of the three I understand that their resignations were brought to a head through the continuing lack of beds at the hospital over a considerable time. In some cases, I am told, surgeons can do only two patients on their operating list because no further beds are available. Such is the problem that I understand the waiting time for elective ear, nose and throat surgery is now nine months. People are saying to me that that is a terrible situation for children and their parents. I am informed that it has got to a point where staff at outpatients spend an enormous amount of their time answering queries from anxious, worried and angry parents about how long it will be before their child is seen. Children suffering respiratory tract infections, sinusitis, recurrent ear infections and tonsillitis are waiting up to nine months for ENT surgery and other treatment. Delays in obtaining treatment for such ailments mean that children have to stay on antibiotics for long periods before they can get to see the surgeon. It results, I am told, in grumpy and difficult children and distressed parents. This promotes a poor home life and disrupts the children's important school studies.

The removal of beds from the Children's Hospital has been savage, and over a time has led directly to the existing problems. In the past six years approved bed numbers at the Children's Hospital have fallen from 274 in June 1982 to 215 in June this year, although the average number of beds available to doctors in the past year was only 172, because of ward closures. It is little wonder that the average daily bed occupancy in the past year has been almost 92 per cent, which is well over what is considered to be appropriate. In their effort to balance budgets the Health Commission and the Government have created a situation where it appears that accountants are more important than the children who are the patients.

My questions are: first, what action will the Government take to ensure that closures of beds at the Children's Hospital will stop and that sufficient beds are re-opened to ensure the services of surgeons are fully utilised and surgical lists increase no further? Secondly, will the Minister provide updated statistics regarding the total number of children on the hospital's waiting list and a breakdown of the waiting time for surgery in each of the surgical specialities carried out there?

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

MR X

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

Leave granted.

The Hon. K.T. GRIFFIN: In the Moyses case Mr X, whose statements have been gaining considerable media attention recently, had been granted by the Government immunity from prosecution.

The Hon. C.J. Sumner: Not by the Government.

The Hon. K.T. GRIFFIN: By the Crown.

The Hon. C.J. Sumner: That's not the Government.

The Hon. K.T. GRIFFIN: Well, it is akin to the Government.

The Hon. C.J. Sumner: It's not; you know as well as I do that it's not.

The Hon. K.T. GRIFFIN: The Government makes the decision.

The Hon. C.J. Sumner: It does not make the decision, as you well know.

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: The Government does, by the Cabinet. Whoever granted to Mr X the immunity from prosecution, I understand that it was done so that he could be persuaded to give evidence against Moyses.

In stories published over the past few weeks Mr X is reported to have confessed to heroin deals which led to the deaths of at least three people in Adelaide in August and September 1985. He is also reported to have confessed to a range of other serious crimes including the sale of fake gold chains and other drug related offences.

I note that in the Fitzgerald Inquiry in Queensland Mr Herbert has been granted immunity from prosecution in return for giving evidence on the condition that he actually tell the truth. My questions are as follows. What was the scope of the immunity from prosecution granted to Mr X? Did it extend to the crimes to which I referred in my explanation? When was the immunity granted, and what conditions were attached to it?

The Hon. C.J. SUMNER: I am happy to get that information for the honourable member. I do not have it with me at present and, obviously, I want the information that I provide to the Council to be quite accurate. However, by way of following up my interjection to the honourable member, I indicate that the question of immunity from prosecution is a decision that is taken by the Attorney-General acting on the advice of Crown Law officers, usually the Crown Prosecutor, although on appropriate occasions the advice of the Solicitor-General or the Crown Solicitor may be sought. It is not one of those matters on which the Attorney-General can be directed by the Government.

A few weeks ago I took the opportunity to provide a ministerial statement to this Chamber to outline the role of the Attorney-General in the criminal justice system and in our constitutional and legal system generally. The reality is that, in relation to matters dealing with the criminal justice system—that is, decisions to prosecute, to enter *nolle prosequis*, to grant immunity to witnesses—the decisions are taken by the Attorney-General acting independently of the Government. That convention is well understood in our legal and constitutional system and I would have thought that it was well understood by the Hon. Mr Griffin. I am sure that it would be well understood by the Hon. Mr Burdett, his fellow legal colleague on the other side of the Chamber.

It is important that that distinction be maintained. As a member of Cabinet, the Attorney-General is subject to Cabinet solidarity, and Cabinet decision making—concerning legislation to be introduced and policy issues of the Government. However, with respect to the criminal justice system, the Attorney-General is independent of the Government and cannot be directed by Cabinet, by Caucus or by his Party. I explained that to the Council by way of my min-

isterial statement. I have also explained it in answers to questions on previous occasions. It is important that the distinction be maintained because, if there is a suggestion that, in these matters, the Attorney-General operates as a member of Cabinet subject to Cabinet direction, the system would be untenable. The Attorney-General must act independently in these matters.

I do not take directions from Cabinet on whether the Crown should appeal against sentence, for instance. It would be intolerable for any Attorney-General—this one, the previous one or a future one—to take directions from Cabinet on whether a serious charge should be reduced to a less serious charge or whether a *nolle prosequi* should be entered in relation to a particular prosecution. Those matters are the province of the Attorney-General. If that convention is not understood, and if there is some suggestion that the Attorney-General can be directed, that strikes at the whole basis of the administration of justice in this State and leads to calls for an independent Director of Public Prosecutions, which have arisen from time to time. That is not necessary because it is important to have the Attorney-General in Parliament responding to questions from members of Parliament so that there is some accountability.

The convention is well established in our system and the same convention has operated in the United Kingdom for many, many years. The principles are well established. I merely make clear to the honourable member that the question with respect to immunity, as I understand, is not a matter for Government: it is a matter for the Attorney-General. In that respect, inevitably, although he has his own views on matters and discusses them from time to time with Crown Law officers, he acts with the advice of those officers. He may accept that advice or he may not accept that advice. Ultimately, the responsibility and the decision are with the Attorney-General, and he deals with that particular aspect of his duty with respect to the criminal justice system in conjunction with Crown Law officers: the Crown Prosecutor, principally, but also in appropriate cases with the Solicitor-General and the Crown Solicitor.

The Hon. M. B. Cameron: You mean he or she.

The Hon. C.J. SUMNER: He, she or it, if talking about the office. As the Hon. Mr Griffin knows, in this particular case the prosecution arose out of an NCA investigation in South Australia. The prosecuting counsel was Mr Michael David, QC, from the independent bar. I decided that it would be appropriate for that to occur to ensure that there was no suggestion of any problems within the Crown Solicitor's Office or with the Crown prosecutors who may have had some contact with Moyse on previous occasions because of his prominence as a police officer. To ensure that the matter was dealt with properly, independent counsel from the bar were briefed. Immunities were granted on the advice of senior counsel in the case. However, in response to the honourable member's question, I will provide him with details of the immunities.

The Hon. K.T. GRIFFIN: I ask a supplementary question: did the Attorney-General raise formally or informally with Cabinet or the Premier his intention to grant immunity from prosecution to Mr X? If he did so, did Cabinet and/or the Premier support that decision?

The Hon. C.J. SUMNER: Frankly, I will not indicate what occurred in Cabinet discussions. Questions of immunity were not a matter for Cabinet, in any event. They were a matter for the Attorney-General with respect to his role in the criminal justice system, as I have indicated. If the honourable member wants a further explanation of the Attorney-General's role, I will give it to him. It is quite clear on the precedents—

The Hon. K.T. Griffin: I do not want any.

The Hon. C.J. SUMNER: You do, because you are under a misapprehension. It is quite clear from the conventions that the Attorney-General is able to consult with whomever he wishes in relation to these matters.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: You do not know. You know nothing, obviously.

The Hon. R.I. Lucas interjecting:

The Hon. C.J. SUMNER: Frankly, my recollection is that the matter was not discussed with Cabinet but I will not go into whether these particular matters were raised formally or informally in Cabinet. Whether or not they were is irrelevant. The reality is that they are decisions for the Attorney-General, and this Cabinet, at least, respects that. It seems from what the Hon. Mr Griffin is saying that he accepted that, when he was Attorney-General, he could be subject to the direction of his Cabinet on these matters. The convention with respect to consultation—

The Hon. K.T. Griffin interjecting:

The Hon. C.J. SUMNER: That's right. If the honourable member wants to get into that debate, that is fine. That issue has been debated on previous occasions around Australia. All I am saying is that I believe, as I said in Parliament before, that it is reasonable to have an Attorney-General taking responsibility for these decisions and to be accountable to Parliament in general terms. It ought not to be confused with the formal role of Cabinet in these matters because it does not have a role in directing the Attorney-General. I make that quite clear to the Council. The convention is that there can be informal discussions with a range of people, although I do not generally discuss these matters with my Cabinet colleagues. On this particular issue, my recollection is that the matter was not raised. It certainly was not raised formally and I cannot recall whether it was raised informally. It was a decision for me to make, which I made acting on the advice of the prosecutors who had charge of the case.

STA TENDERING

The Hon. I. GILFILLAN: I understand that the Attorney-General has a reply to a question I asked previously concerning STA tendering.

The Hon. C.J. SUMNER: I seek leave to incorporate the answer in *Hansard* without my reading it.

Leave granted.

I refer to your question asked on 8 September 1988. The Minister of Transport has provided me with the following answer:

All tenders associated with the construction activities of the Busway are called by the Northeast Busway Project Team, a Division of the Department of Transport. The STA does not have any responsibility for Busway tenders. Tenders closed on 19 November 1987 for two contracts relating to piling on the Busway, with specifications numbered CL307M and CL311M, and not for one 'particular job, tender No. CL307M and CL311'. No tender was received for either contract from C.W. Constructions, as stated. The full list of tenders received at 4.00 p.m. on the 19th was both posted on the notice board and given upon request (in alphabetical order), to interested parties, including Mr Stanfield.

At 8.40 a.m. on 20 November 1987 a late tender for both contracts was received from McMillan Contracting Pty Ltd. The tender was opened and marked late according to normal procedures. However, whilst this was happening and prior

to the reposting of the revised advice on the notice board, Mr Stanfield rang again and was given advice identical to that he received the previous evening. On 24 November 1987 Mr Stanfield again rang the Busway office and this time spoke to the Manager, Civil Works, Mr K. Hibbert. Amongst other things he was again provided with a list of tenderers which naturally included the late tender received from McMillan Contracting Pty Ltd.

In response to your questions I advise:

- that I am satisfied that all procedures in the opening of tenders for all contracts let by the Northeast Busway Project Team are open and above board;
- that I am satisfied that no unacceptable activities were followed during receipt of tenders for contracts CL307M and CL311M;
- that I am satisfied that no false or misleading information was given out during the tender appraisal period of either the contracts in question or any others; and
- the tender closing time for this contract was strictly adhered to; the late tender received from McMillan Contracting Pty Ltd was received and noted to be a late tender.

The majority of the explanation to the question is inaccurate, as were the comments to the local press. At no time has the Fraud Squad contacted Department of Transport staff regarding this matter, and in the interest of the public and of his agency, the Ombudsman published his report pursuant to section 20 of the Ombudsman Act on Saturday 3 September 1988. It is unfortunate the member did not bother to check out the facts from responsible people within my department prior to implying that Northeast Busway Project personnel are involved in collusion, misconduct or maladministration. In conclusion, I should point out that staff of the Busway team have been subject to telephone threats and intimidation by personnel associated with C.W. Constructions. The Director-General of Transport has taken action to determine the claims and complaints of the company.

VISITING ARMED WARSHIPS

The Hon. I. GILFILLAN: I understand that the Minister of Tourism has a reply to a question I asked previously concerning visiting armed warships.

The Hon. BARBARA WIESE: I seek leave to incorporate the answer in *Hansard* without my reading it.
Leave granted.

The Premier has advised that the responsibility for arranging visits to Australian ports by any foreign warships belongs to the Commonwealth Government. This was made clear in an answer to a question from the Hon. M.J. Elliott which was provided on 21 October 1986. That answer also stated that visits by ships that may be carrying nuclear weapons are permitted under the same general terms and conditions as those that apply to visits by vessels carrying non-nuclear arms since the existence of nuclear weapons on a ship cannot be ascertained one way or another. The visits by the USS *Brewton* and the HMS *Edinburgh* are consistent with those conditions.

ROXBY DOWNS

The Hon. I. GILFILLAN: I understand that the Minister of Tourism has a reply to a question I asked previously concerning Roxby Downs.

The Hon. BARBARA WIESE: I seek leave to incorporate the answer in *Hansard* without my reading it.

Leave granted.

The Minister of Mines and Energy has advised that your questions relating to nuclear safeguards should be addressed to the Commonwealth Government, as they are the responsibility of that Government and not the State. The State will agree to all safety requirements entered into by the Commonwealth. The transport of yellowcake will be carried out in accordance with the Transport Code pursuant to the Environment Protection (Nuclear Codes) Act 1978. In addition, in South Australian legislation, there is no requirement for 'a formal mining licence' nor an 'exploration development licence'.

SHOPLIFTERS

The Hon. M.S. FELEPPA: I seek leave to make a brief explanation before asking the Attorney-General a question on the penalties for first offence shoplifters.

Leave granted.

The Hon. M.S. FELEPPA: In May of this year the Legal Services Commission published a report entitled, 'Getting it into perspective—the need for reform of procedures dealing with first offence shoplifters'. The report, using figures provided from the Office of Crime Statistics for the 12 months to the end of 1986, showed that 60.4 per cent of those charged with shoplifting have no previous criminal conviction of any type. The figures also indicated that the large majority of those adults charged before summary courts are not hardened criminals and most do not reappear before the courts.

In light of this, the report makes a number of recommendations in relation to the treatment of first offence shoplifters including a three tiered system of penalties based on the value of goods stolen. The first stage, for the theft of goods valued at \$10 or less, would involve a formal police caution. The second stage, for the theft of goods valued at between \$10 and \$20, would involve the imposition of a \$50 shopping infringement notice. The third and final stage for the theft of goods valued at over \$20 would involve a court hearing as is the present situation. In light of the report and its recommendations, can the Attorney-General inform the Council of the Government's response to this matter?

The Hon. C.J. SUMNER: As the honourable member has mentioned, a report was prepared by Francis Regan of the Legal Services Commission on the need for reform of procedures dealing with first offence shoplifters. That report was published in May 1988. Part of the recommendations of that report deal with formal police cautions in respect of first offence shoplifters.

In response to the honourable member's question, it is not the Government's present intention to proceed in the immediately foreseeable future with implementation of such procedures. The honourable member would doubtless be aware of the fact that a pilot program is being conducted, by the Department for Community Welfare in conjunction with the Police Department, to deal with the treatment of young offenders in Hindley Street by way, among other things, of formal police cautions. The Government therefore wishes to monitor and evaluate the practical operation of such a program before considering its further or wider application to other classes of offenders and offences.

I have advised the Director, Legal Services Commission, of this situation. However, I have also requested being kept apprised of community reaction and response to the details

of the report of the officer of the Legal Services Commission. Once these above matters are furnished to the Government, the questions raised by the honourable member will receive further consideration.

MILNE ROAD TRANSMISSION LINES

The Hon. J.C. BURDETT: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Mines and Energy, a question on the subject of the proposed 66 000 volt above ground transmission line in Milne Road, Modbury.

Leave granted.

The Hon. J.C. BURDETT: The Electricity Trust announced by information sheet dated September 1988, which is just over a month ago, that a 66 000 volt transmission line to serve the Golden Grove development would proceed along Milne Road, Modbury—a narrow residential street. I might add that in the Golden Grove area itself—and this is to be commended—the reticulation lines are being laid underground. The complaint of the residents of Milne Road is that the transmission line is to proceed along their street above the ground, a high and unsightly line serving an area which has underground transmission lines.

The residents have been told that work will commence in November and, as far as the trust is concerned, the decision is in accordance with the Minister's instructions and is irreversible unless the Minister reverses the direction. The residents say that they were not consulted, merely told. They also say that the timeframe that they have had to make representations has been very restricted. A well attended meeting, with about 80 residents as I counted, was held last Saturday week. The local member, the member for Florey, was also in attendance. A resolution was passed unanimously calling on the member for Florey to ensure that the high 66 000 volt transmission line not proceed along Milne Road. The residents pointed out that the line would be much higher than existing lines and would grossly adversely affect the aesthetics of the area and reduce property values. Milne Road is a narrow, quiet residential street at that point.

Suggested alternatives included undergrounding the service, which is much more expensive, of course, or proceeding along Montague Road which has fewer residences and which is a major road where power lines are usually erected. It is a much wider road, being of four lanes, and the residents say that the visual impact would be much less. They also refer to a previous statement of the trust that such lines would proceed through areas where the visual and other adverse impact would be least. They say that in Milne Road, as compared with other options, it would be at a maximum. My question is: will the Minister change the projected route from above ground in Milne Road to some other alternative, either underground or another route?

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

JUSTICE INFORMATION SYSTEM

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Attorney-General a question on the subject of the Justice Information System.

Leave granted.

The Hon. M.J. ELLIOTT: I have been contacted by several people with some concerns in relation to the Justice Information System. I have looked through the Estimates

Committee debates from this year and also previous years for some answers, but I could not find them there. Some people who spoke to me have suggested that two auditors recently went through the Justice Information System (not a financial audit but an audit of equipment and its operation, etc.), but to this stage there is no indication as to what they found. Can the Attorney-General inform this Chamber whether or not there has been an audit in recent times and, if so, what were the results of that audit? Is it accurate that the JIS is now running at least five years over time? It was suggested in the Auditor-General's Report that it would cost \$50 million. One person suggests to me that it is now running closer to \$60 million.

Can the Attorney-General confirm whether or not Network Automation, when it won the contract, did not in fact have the software necessary for the system and has been unable to develop the software despite winning the contract, and has now negotiated with an overseas firm to supply the software, action that may have implications in relation to Australian content which, I believe, was part of the tender process? Can he also confirm whether or not the court system, which was supposed to be totally independent of JIS, has had equipment chosen—once again, overseas equipment I believe—which is not suitable for regional network but only for local area network, implying that it would become very reliant on the JIS, being against the original wishes of the courts?

The Hon. C.J. SUMNER: With respect to the suggestion that the JIS is five years overdue, I do not believe that that is the situation. Certainly, there have been some delays, but not to that extent. At present applications are being loaded, and this should be in place in the next few months. I will obtain answers to the more technical questions raised by the honourable member and bring back a reply.

The Hon. M.J. ELLIOTT: I have a supplementary question. Has there in fact been an audit conducted in the past couple of months, and what was its result?

The Hon. C.J. SUMNER: That is the matter on which I will obtain a response.

CHILD ABUSE

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Attorney-General a question about child abuse.

Leave granted.

The Hon. DIANA LAIDLAW: On 13 October last I asked the Attorney-General a number of questions relating to the findings of Judge Newman on 19 August in a case alleging the abuse of two young girls by their father. In response to my questions the Attorney-General indicated that he agreed with Judge Newman that it made good common sense 'that the initial diagnosis should be made by specialist professionals in the field best equipped by training to properly make a sound conclusion, and that validation should take place before any treatment program is planned'.

In response to a further question seeking to ascertain whether the Attorney-General would take steps to investigate or possibly ensure that the Department for Community Welfare's current practices and policies are amended to reflect Judge Newman's views (which were shared by the Attorney) the Attorney-General indicated that it was already occurring. I now seek clarification in respect to that reply.

What is already occurring—the investigation of the findings by Judge Newman, or the implementation of the proposals? If the Attorney-General was referring to the implementation of those findings, when were these practices

adopted by the Department for Community Welfare? What funding has been allocated for the initiatives? If the department is now insisting that the diagnoses and assessments be made by specialists in the field, is it insisting (as it has done in directives in the past) that the specialists be only women? If that is the case, is the Attorney-General and the Government satisfied that there are sufficient women specialists to conduct these assessments and diagnoses?

The Hon. C.J. SUMNER: The answer to the question was that there were procedures in place to implement suggestions made by the judge, as I understand the situation. This was being done in conjunction with advice from the Crown Solicitor's Office. However, I will obtain the details of that for the honourable member and bring back a reply.

COUNTRY FIRE SERVICES

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about local government and the Country Fire Services.

Leave granted.

The Hon. J.C. IRWIN: In July this year the Local Government Association circulated a paper to all councils concerning their future role in the Country Fire Services. The LGA presented three options for comment. First, the bipartisan option which is based on a partnership arrangement between the two levels of Government. The present arrangements are supposed to reflect the bipartisan approach but unfortunately have failed to do so (these are the words of the LGA). Secondly, the withdrawal option, being that local government could withdraw entirely from any further involvement in the CFS. Thirdly, the takeover option, which means a proposal could be developed to enable local government to take complete responsibility for the CFS with a State Government contribution to cover the State's properties.

We are aware of advice to the Government from a committee it set up regarding future funding proposals for the CFS and the MFS. My questions are:

1. Does the Minister support local government playing a part in the provision of fire services in council areas?
2. Does the Minister support either the bipartisan option or the takeover option, thus preserving local government's long-held position as the provider of fire services in country areas?
3. When will the Government make a decision about the method of funding for the CFS?

The Hon. BARBARA WIESE: This matter is the responsibility of my colleague, the Minister of Emergency Services. Therefore, I am not completely familiar with the stage that negotiations and considerations have reached with respect to the administration and funding of the Country Fire Services, except to say that I note that a Bill was introduced in this session which deals (as I understand it) with the line of command that should occur in the Country Fire Services. In relation to the question of funding and the responsibility of various levels of Government, I believe that that matter is still under consideration. However, I note that since the paper of the Local Government Association was distributed around the State for discussion a large group—I think the organisation which represents volunteer firefighters who are associated with the CFS—has strongly rejected the option put forward by the LGA that local government should take over the administration of the CFS.

I understand that the volunteer firefighters believe that local government is not appropriately placed to take on that

responsibility, and I believe that those people would prefer the current arrangements, with State Government involvement in this area, to be preserved. Clearly, it is a matter on which there are many points of view, and the Government must weigh up those differing points of view when making decisions about these issues. I am sure that in the fullness of time the Minister of Emergency Services will be able to make those decisions and bring about appropriate amendments to the legislation.

WATER CARTING

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister who represents the Minister of Agriculture a question about water carting west of Ceduna.

Leave granted.

The Hon. PETER DUNN: Since 1 January, as members in this Council will know, there has been a very severe drought in the area west of Ceduna. In fact, it is so severe that until this time some areas have received little more than 160 millimetres (or four inches in old terms) of rain.

It is well known that crop production will be very low in that area, but there is still hope for the retention of stock. For some time the Minister of Agriculture has been saying that people ought to be changing their mode of farming by introducing more stock into the area. Therefore, I was amazed earlier this week to hear the Minister flatly refuse to provide water carting in the area west of Ceduna having been asked to do so. In the past, former Governments have carted water to tanks that were established earlier this century because they recognised that water was needed when there were droughts and that there was no reticulated water in the area.

Former Governments recognised that, although farmers harvested water themselves, it was necessary for water to be carted to appropriate tanks. Farmers believe that it is much more economical for the Government to cart water because, first, larger tankers reduce the cost of water cartage; secondly, less road damage is caused by fewer vehicles on the road; and, thirdly, such water cartage assists enormously in the distribution of water in the area. As I said, Minister Mayes announced a definite 'No' to any assistance. As well, he announced a definite 'No' to agistment assistance, that is, the taking of stock out of that area. My questions are as follows:

1. Has this Labor Government totally lost touch with the hardworking people of this State?
2. Has the Minister made a conscious decision to depopulate the area west of Ceduna?

The PRESIDENT: Order! Can the question be rephrased? There should not be any imputation in a question.

The Hon. PETER DUNN: An imputation of what? I seek your ruling on that, Madam President. I am asking a question. I have put it in the form of a question: Has the Minister? I am asking a question, Madam President.

The PRESIDENT: It is your opinion. It struck me that there was an imputation or an opinion expressed.

Members interjecting:

The Hon. PETER DUNN: Madam President, I will ask the question again:

1. Has this Labor Government totally lost touch with the hardworking people of this State?
2. Has the Minister made a conscious decision to depopulate the area of Ceduna?
3. What feeling has the Minister for the animals—domestic, sheep, cattle and horses—in that area in the light of the

fact that there may not be enough money to transport those stock to other areas because of the impact of the drought?

The Hon. BARBARA WIESE: As I indicated in this place on previous occasions when questions about the plight of West Coast farmers have been raised here, the Government cares very much about the plight of those people and about the hard times that they are currently facing. Indeed, the Minister of Agriculture, the Minister of Water Resources and various other members of the Government have spent a great deal of time and energy working with those people to try to overcome many of their problems and to provide assistance as and where it is possible to do so.

In fact, some considerable packages of assistance have been put together to help many of those people through these hard times. It is a source of great concern to me that the honourable member and various other people who have raised this issue in this place and through the pages of the newspapers will not acknowledge the work that the Government has done in this area. However, I will refer those questions to my colleague in another place in order to bring back a more detailed reply outlining the very extensive assistance that is being given.

LAND AGENTS, BROKERS AND VALUERS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

ELECTION OF SENATORS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

LOANS TO PRODUCERS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 13 October. Page 994.)

The Hon. J.C. IRWIN: The Opposition supports this short Bill. The Act, which has been in existence since 1927, has been a source of significant support over the years, particularly to cooperatives in South Australia. The objects of the Act have been to encourage rural production and for purposes associated with fishing. The Act is administered by the State Bank as agent for the Government, and I understand that lending under this Act is still very active. A significant provision in the Bill is the application of normal banking business principles. At present, loan conditions in the Act are laid down by regulation, but under this Bill the bank will have the discretion to determine what security it requires over any loans that the bank grants. That is a normal banking principle and practice. The Opposition is happy to give this Bill a speedy passage so that rural and fishing enterprises can get on with the job of providing much of the wealth of this State, helped, of course, by any State Bank loans. The Opposition supports this Bill.

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

CULTURAL TRUSTS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 13 October. Page 996.)

The Hon. L.H. DAVIS: Madam President, the Opposition supports this amendment to the Act. This Bill comes before us after many years of debate involving people interested in the arts in the regional areas of South Australia and officers of the Department of the Arts. In all respects, this Bill reflects the wishes of the vast majority of people who have an interest in and an enjoyment of the arts in regional South Australia. This amending Bill has come into being because there has been a restructuring of regional arts in South Australia. At present, two forces are working to promote the regional arts. First, there are the four regional cultural trusts which are located in four regions in South Australia.

In the South-East we have the Mount Gambier Regional Trust and the theatre which was built there. We have trusts in the Riverland at Berri, in the northern region at Port Pirie, and in the Eyre Peninsula or western region we have a theatre at Whyalla. Those theatres were developed in a period of both Labor and Liberal Governments. It was an initiative of the Dunstan Government, carried on with great enthusiasm by the Hon. Murray Hill, Minister for the Arts in the Tonkin Government. It is a great credit to those previous Governments that that quite unique program of development of theatres in regional South Australia took place.

Certainly, no other State in Australia can boast such good quality regional theatres with such adequate amenities as can South Australia. Those theatres, for people who have not seen them, are very much akin to the Playhouse Theatre, which is part of the Adelaide Festival Centre complex, seating in the vicinity of 500 people. Those theatres, certainly, have a cost, and in 1987-88 we see that the cultural trusts of Eyre Peninsula, northern region, Riverland and the South-East taken together involve about \$4 million. That is a substantial amount. About half that amount is in debt servicing for the theatre. That is one of the crosses which must be carried in the establishment of such an important community facility. Again in 1988-89, we see an amount of about \$4 million allocated to those four cultural trusts.

Certainly, the regional cultural trusts which were centred around these theatres were much more than just bricks and mortar. For most of their lifetime the trusts have had community arts officers working in and about the community. Those trusts worked hard to bring performing artists and programs of interest to local residents into those theatres. They had more than just the function of being a centre for performing arts in the region. They were used for many purposes, including art exhibitions, films and cocktail parties. It was very much a community facility. That was one of the prongs in the regional arts in South Australia.

The other prong was the long established Arts Council of South Australia which was, in fact, part of a larger national network. Arts Councils exist in each State of Australia, have a national network and meet regularly to discuss matters of common interest. The Arts Council, again, receives support from the State Government in the vicinity of \$600 000 on an annual basis to support staff located in its very gracious headquarters in South Terrace, Adelaide.

The Arts Council at last count had 37 branches in five regional zones. Although those did not quite overlap with the regions which were encompassed by the cultural trusts, certainly there was some common ground. The Arts Council

worked tirelessly to promote the arts in country areas of South Australia. They relied not only on paid professionals but also very much on volunteers in many regional centres. In the Arts Council there was a great sense of family, tradition and involvement, and a great sense of accomplishment. Indeed, some of the leaders of the Arts Council of South Australia in years gone by have come to be leading arts administrators in Australia. One can think of Peter Sara, for example, who has headed up the bicentennial arts program at a national level in this bicentennial year of 1988. He is a former General Manager of the Arts Council of South Australia. The Arts Council, through its network, its funding, its volunteers and its paid officers, provided a mix of culture for South Australia's regions. It provided funding for artist-in-residence programs. It provided seeding funds, for example, for local productions or local initiatives in the arts, whether we are talking about visual arts, crafts or the performing arts in the wider sense. The Arts Council also provided for touring exhibitions.

Quite clearly, there was an overlap. There was competition for resources and, indeed, a duplication of resources and effort, to some extent, in the regional arts. The current Government, looking at this dilemma with the competition for resources, established the Edmonds committee to investigate the regional cultural trusts and the Arts Council of South Australia. Murray Edmonds, who had been commissioned to investigate the possibility of a merger between the cultural trusts and the Arts Council of South Australia, reported in January 1985, recommending in favour of a merger. He was concerned that there would be some tension and difficulty in implementing a merger. He mentioned that in some regions there was already a very close overlap between the regional cultural trust and the Arts Council.

The Riverland, for example, had always worked hand in glove with the Arts Council: there was a great affinity between the Arts Council in the Riverland and the regional cultural trust with the theatre centred in Berri. In other areas, such as on Eyre Peninsula, there was some tension and suspicion about the merger. Volunteers were nervous that they would lose out to professionals, that they would lose resources on the ground and that Eyre Peninsula would suffer from the tyranny of distance and neglect. Murray Edmonds, in his conclusion, talking about the winners and losers out of a merger, stated:

To me, the truth is that the Arts Council movement has in a special way made the new enterprise possible. Typically, perhaps, their leading people seem to be often in the vanguard of the movement towards the new and better opportunities. They have helped me to see that there can really be no losers, only winners.

That was his optimistic assessment. I was privileged to be invited to attend the Arts Council annual meeting where this motion for amalgamation took place. It was a meeting which lasted all day and was representative of regional arts in South Australia, with some 100 people attending from across the State who listened to the considered views of officers from the Department for the Arts.

At the end of the day, although there was some dissatisfaction, there was clearly an overwhelming view that the merger should take place. That annual meeting was in 1987. Since then, a working party has proceeded to put the two strands of regional arts together—to entwine them as one. We have in the Bill now before us the product of many years of consultation and frank discussion with the regional arts community, whether they be in the Arts Council branches or in the regional trusts. In fact, the Department for the Arts has been the umbrella holder. It has brought together the two strands of the arts: the Arts Council and the regional cultural trusts.

I have consulted many people in the different regions of the State who have had a long standing interest in the arts and who have confirmed that they are happy with what we now have before us. I am particularly pleased to be able to report that the Eyre Peninsula region has been more than happy to accept the merger because it has already seen the benefit of the better use of resources which was a key reason for this merger.

Although the Arts Council will cease to be funded, and all the funding will be directed into this new enlarged entity, the annual meeting of the Arts Council in 1988 resolved that the council would continue as a body even though it will not be funded. It is also good to note that paid staff of the Arts Council have been accommodated in the new structure. Some of the staff have gone on to alternative employment but everyone else has been happily accommodated in the new enlarged structure.

The Bill seeks to amend the Cultural Trusts Act. Section 6 will be amended to provide for membership of a regional cultural trust as follows:

A trust is to consist of eight trustees . . . one is to be nominated by the council or councils in the part of the State in relation to which the trust is established.

In other words, a council in the region will have a nominated person on the trust. The other seven trustees will be nominated by the Minister and four of them must be subscribed as chosen by the Minister from persons elected by the subscribers.

A meeting of the Northern Regional Cultural Trust has already been held. Of course, that trust is centred in Port Pirie. The meeting was held in mid-October and the trust was asked to nominate eight people from whom the Minister for the Arts would select four new trustees to replace the trustees retiring at the end of October. I imagine that is an illustration of what is intended in the future to ensure that areas in the region—and some of them are big regions, such as the western region and the northern region—have some representation. The members will be invited to nominate eight people from whom the Minister will select four as trustees.

Of course, the tyranny of distance still remains in areas such as the Eyre Peninsula. I have been told that at a meeting at Whyalla nearly half of the members present at the regional cultural trust meeting were from Whyalla. Of course, one could imagine a situation where the majority of members could come from, for example, Whyalla, and could, theoretically, outvote people from other parts of the region. That is a theoretical possibility. In practice, I would be very disappointed if that were to happen because there is a great community of interest in the arts, a capacity to share and to understand different points of view. I believe that that is especially true in regional arts. That is one element of the new arrangement: a trust consisting of eight trustees will be appointed in each of these four regions.

The second element is that the powers of the trust have been amended to provide for a new organisational structure. The trust may provide, manage and control premises and facilities for the arts. That is a recognition that it will continue to manage and control the theatres which, of course, will be the centrepiece for performing arts in each of those regions. However, the trust will also have an important power to encourage the development and appreciation of arts within the community served by the trust through the formation of a body to provide advice on funding and policy matters. I understand that will be styled as a regional cultural advisory committee.

The advisory committees will be made up of people who are well respected in the community and who have a sound knowledge of at least one art form. The members will have

the capacity to take the broad view rather than the narrow interest in a particular matter—to make objective and sound artistic judgment when assessing artistic performance and financial assistance applications. They should not represent the interests of a narrow specific group or ideology but should be able to view such activity within the wider context of the arts in the region. Finally, the other criteria for members of the regional cultural advisory committees is that they should have the capacity to operate positively in a committee structure, have some experience in advisory work and be able to assist their regional committee in the formulation of policy.

Again, that is a very practical step which seeks to give authority, power and control to the region—it is responsible for its own affairs. This is very much a Bill which has decentralised regional arts because if there was one criticism of the existing structure it was that perhaps too many of the resources were being concentrated in Adelaide in the Arts Council. That is not necessarily a criticism of the Arts Council. The regional cultural trusts themselves were, perhaps, too concerned with their own bricks and mortar rather than the community as a whole. However, the melding of these two strands interested in the regional arts will go a long way towards overcoming that criticism. Of course, they will be assisted by the regional cultural advisory committees.

The trust is also given power under the amended section 8 to provide managerial, artistic and technical advice, and financial assistance, and to encourage the development of appreciation of the arts in the communities served by the trust by the provision of financial assistance grants programs and projects approved by the trust. In other words, again there will be a devolution of power so that the moneys available in the regions for the promotion of the arts will, in most respects, be made available through the judgment of the trust, relying on its regional cultural advisory committee. Finally, the trust is empowered to promote the performing arts and visual arts and crafts within the region.

The Bill is rather simpler than the proposed restructuring. For example, no reference has been made to the regional or cultural advisory committees which will be created within each of the four regions I have already mentioned. No mention has been made, either, of the newly created region to service the near city areas—the Central Regional Cultural Authority. This new body will service the non-metropolitan areas of the Fleurieu Peninsula, Murraylands, the Barossa Valley and Kangaroo Island.

The Central Regional Cultural Authority will provide support, managerial expertise for regional arts facilities, and arts organisations in that region and will have a role similar to the role adopted by the regional trusts. The Central Regional Cultural Authority will also employ two professional arts development officers to service groups and initiate projects within the guidelines established by the authority on the advice of its arts advisory committee. The Minister for the Arts has already announced the appointment of an interim committee to represent that central region.

Further, this new structure will mean the creation of a regional cultural council which will be a central body with a monitoring role, a development and funding policy, and with representation from each of the four existing regions as well as the newly created central region. This central body will service the central region and coordinate State-wide tours of cultural activities.

Finally, the Bill amends the Cultural Trust Act to give arts groups, organisations within the community and those individuals who wish to be available for election as trustees the opportunity to become members of the Cultural Trust.

In summary, the Liberal Party supports this proposal. Certainly questions will be asked in the Committee stage of this Bill, but the Liberal Party appreciates that consultative processes have been at work over many years in bringing this Bill to fruition. My only criticism, if I have one, is that, sadly, such an important and historic measure has been accompanied by a singular lack of information. I am disappointed that so little background and explanation was given in the second reading explanation on such an important proposal for country people.

This is a historic measure in bringing together the Arts Council and the Cultural Trust. Many people in the arts community will be reading about its progress with great interest. It does this Parliament and the community a disservice when an opportunity to present this information is missed. With that comment, I am pleased to support the second reading.

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

STATUTES REPEAL (AGRICULTURE) BILL

Adjourned debate on second reading.
(Continued from 13 October. Page 997.)

The Hon. J.C. IRWIN: The purpose of this Bill is to repeal the Chaff and Hay Act 1922, the Tobacco Industry Protection Act 1934, and the Veterinary Districts Act 1940. Although I was not about in 1922, I can understand the need for the Chaff and Hay Act. There was a large market for chaff and hay to feed draught horses, to use that term broadly, which were used with agricultural machinery, and other horses which were used to work livestock, particularly sheep and cattle. Chaff and hay were also used for other livestock feed requirements, both seasonally and in times of drought. There is no doubt that, in those days, chaff and hay moved around the State as much as their replacements do today.

The hay used then was not packaged as we know it now. It was known as sheaved hay. In my jackerooing days I had to cut and make sheaved hay, and stook it and cart it, using a pitchfork. I also had to learn to build haystacks and to feed it out in the form of chaff or in sheaves. I record, 33 years on, the wonderful craftsmanship and workmanship that were required to do that job properly, quite apart from the physical nature of the work involved. I guess that the tools for that craftsmanship will eventually reside in museums and small farm heritage areas set aside in rural communities. I consider myself very fortunate in having learnt a little of the skills needed to practise the now dying art of making sheaved hay and chaff. I expect that my two rural colleagues who are senior in age have had more experience in handling sheaved hay, stooking it, using a pitchfork to throw it up on a trolley, throwing it off again and making it into haystacks.

The Act was needed to control the spread of weeds. That is now dealt with in the Animal and Plant Control Act. The Act also set a safe and acceptable upper limit of moisture content. In the Minister's second reading explanation, mention was made of the fact that farmers were a bit devious in those days and were known to hide stones in the bottom of chaff bags and fill the chaff bag with water which, of course, added to its weight. As chaff was sold by weight, they did well out of it. The Hon. Mr Dunn and I know that farmers have not changed a lot nowadays, but use different methods to try to deceive each other.

Although sheaved hay and chaff is still about, the Opposition agrees that the need for the Chaff and Hay Act has lapsed. As I said, weeds are dealt with in another Act and chemical residue, which is a problem newly on the scene, is dealt with in its own Act soon to be proclaimed. The 1922 Act was an early example of consumer protection. Hay is packaged in many weird and wonderful shapes with varying weights: small square bales; large square bales, which weigh up to one or two tonnes; and large and small round bales of varying weights. There is still a version of chaff but it is now more likely to be produced by a modern hammer mill. In supporting the repeal of the Act, the Opposition makes the point that there is still a need for vigilance regarding the spreading of weed seeds and this deregulation measure puts the onus for hay quality squarely on the marketplace. That is not a bad place to sort out who has a good product to sell and who has not. It is generally a farmer-to-farmer arrangement within districts or inter-districts. Farmers will soon learn which farmers and which properties are playing the game and which are not. They will not be caught twice. The marketplace will certainly sort that out.

The second Act to be repealed by this legislation is the Tobacco Industry Protection Act, which came into being in 1934. In or about 1939 the industry declined and, since that time, South Australia has not been involved in the commercial growing of tobacco. The industry was never very successful in South Australia due to a combination of unsuitable soil types and poor climate for tobacco growing. I understand that the tobacco-growing industry in Australia is very heavily subsidised. In the present political and social climate, it is unlikely that the industry will ever really flourish, especially in South Australia. The object of the Act to be repealed was to destroy all plants by 31 July each year. Technology has no doubt overcome the spreading of crop diseases associated with tobacco plants but, for all I know, the problems that existed between 1934 and 1939 may still occur. Diseases affecting grape growing still cannot be managed safely, so I can understand what the legislation attempted to do in 1934. The Opposition agrees that this Act should be repealed.

The Opposition also supports the repeal of the Veterinary Districts Act 1940. I understand from the member for Light in another place that the provisions of this Act were used only once in order to settle a veterinarian in the Wudinna area. I have not asked my colleague to my right whether that veterinarian or his family are still there. Although the Opposition recognises the need to locate veterinarians in rural areas, it would rather leave the setting up of practices to the old forces of supply and demand. It is worth recording that very few, if any, vets practised outside of Adelaide until after the Second World War. When I was in the Mid-North 33 years ago there was no vet north of Adelaide, except, perhaps, Dr Eastick, who was based near Gawler. The Act to be repealed provided for veterinary districts with the provision and power to raise funds from stockowners in those districts to attract practices into rural South Australia. As I said, much has changed since those days, and the Opposition supports the repeal of this Act. The Opposition supports the Bill.

The Hon. PETER DUNN: I draw to the attention of the Government and rural industry in particular a couple of points arising from the repeal of the Chaff and Hay Act. It has been fairly well established that rye grass toxicity, which is one of the most dangerous diseases in the country, is spread by the transport of hay around the country. If hay containing annual rye grass that comes from an area with

rye grass toxicity containing the eel worm is taken to other areas, the disease may start up. Areas in the Mid-North of this State, particularly Black Springs, around Murray Bridge and on Eyre Peninsula are affected. I have a neighbour who has lost animals through the disease, which is a disaster. Provided that the animals are not excited in any way, they can reasonably graze annual rye grass, but if they are disturbed by moving them to another paddock they will just drop in their tracks and die. I have seen as many as 200 animals die near a trough.

When it is considered that animals can be worth as much as \$50 each today, that result could be disastrous to anyone. This Act would restrict that situation. The Department of Agriculture has done an excellent job in making it known and setting up a system whereby rye grass can be picked at the seeding stage for testing to see if it contains eel worm to which the plant reacts and produces a toxin which kills the animals.

The Veterinary Act was set up to establish veterinary practices in the country. It was not deemed to be necessary, partly because there was never a veterinary school in South Australia. There still is not, and maybe the State or the university should look at the establishment of one, seeing that the only others are in Queensland, New South Wales and Western Australia. In the past, market forces have supplied those veterinarians. As I understand it, there is only one veterinarian on Eyre Peninsula. However, there are likely to be two because a lady veterinarian is intending to marry and move to Eyre Peninsula. We look forward to having her there because we are short of vets and more and more horses and larger animals are being brought into that area.

The Hon. J.C. Irwin: If you paid Dr Cornwall enough, you could get him over there.

The Hon. PETER DUNN: Maybe \$100 000 would fix that up. Bigger animals are the ones that need veterinary care, because they are relatively more expensive, so, it is important. As my colleague said, there is no vet now in the Wudinna area. In the past, that gap has been filled by farmers who just had extraordinary knowledge or who took an interest in animals. I can recall a case in my own area when a Mr Crosby was given a trip to South America because of his services to the community in the veterinary field. The community took up a collection and gave him the air fare to South America, a place he was very interested in. He gave great service to the community. He was not licensed as such, but was licensed to distribute some drugs. I point out that the Act is now not really necessary and I support the Government in repealing this Act for those reasons. The matters relating to tobacco have been relatively well explained. We cannot grow tobacco here. In fact, this year we are having a great deal of trouble growing a very drought resistant crop called wheat. For those reasons I support the Bill.

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

BUILDING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 October. Page 852.)

The Hon. J.C. BURDETT: I support the second reading of this Bill. One portion of it mystifies me and gives me some cause for concern. Because it deals with the question of subordinate legislation, I would think that it would concern you, Mr Acting President, also. Clause 16 (b) provides:

(2) The regulations may adopt, wholly or partially and with or without modification—

(a) a code relating to matters in respect of which regulations may be made under subsection (1) or otherwise relating to buildings, structures or building work;

or

(b) an amendment to such a code.

Further, subsection (5) (c) provides:

a copy of the code, standard or other document must be kept available for inspection by members of the public, without charge and during normal office hours, at an office or offices specified in the regulations.

At page 851 of *Hansard*, in her second reading speech, the Minister stated:

The members of the Coordinating Council are seeking the implementation of the code by 1 January 1989. It is not proposed to promulgate the code in the form of regulations to be gazetted and tabled in Parliament. Instead the code will be incorporated or in popular terminology 'called up' by regulation under a head power to be inserted in the Act. Copies of the code, I am assured, will be readily available through the State Information Centre and elsewhere.

It seems to me that obviously some change is intended from the present situation, otherwise it would not have been done. The present situation is that the nuts and bolts with regard to the Building Act are provided in regulations which come before the joint committee on subordinate legislation and may be disallowed by resolution of either House of Parliament. It is clear from the Minister's statement, when she says that it is not proposed to promulgate the code in the form of regulations to be gazetted and tabled in Parliament, that some change is intended. I want to know, what is the change?

It has been said that the objective of this amendment Bill is to provide for the incorporation by reference to the building code of Australia by regulation under the Act in the same way as regulations under various Acts incorporating required compliance with various Australian standards. I thoroughly agree with the principle of uniformity in matters of this kind, but I do not see why it has been found necessary to move away from the ordinary regulations procedure which provides parliamentary control and scrutiny over a code or regulations or whatever you like to call it. It is quite clear that the code will have the force of law and there will be penalties for breach of the standards set up in the code. So, it is a law, and to my mind it is a flagrant breach of the Westminster system and of the principles of democracy if a law can be instituted without reference to the law-making body, namely, Parliament. It is not clear what is intended.

As I have mentioned, clause 16 provides that the regulations may adopt, wholly or partially and with or without modification, a code relating to matters in respect of which regulations may be made. If it is the position that the regulations adopting the code may be disallowed, that is all right, but why the change? If it is the position, as the Minister said in her second reading explanation, that 'copies of the code I am assured will be readily available through the State Information Centre and elsewhere', will they be available before or after the introduction of the regulations to adopt the code?

If the position is that the regulations to adopt the code may be disallowed, then I suppose in a sense I do not have any argument. If that is the case, why change it? If we are talking about uniformity, I note that many other Acts have required uniform regulations. The best example was the

food regulations introduced not so long ago by the former Minister of Health. They were massive regulations, and they were uniform. There was not a code. They were simply introduced as regulations and could be disallowed in the same way as any other regulations. I would have thought that in the field of health, food particularly—because after all foodstuffs are fairly homogeneous throughout Australia—that there was even more need for uniformity than there is in the case of buildings which are not homogeneous throughout Australia and where there may be different requirements in different parts of the State.

I want to know what the change means and the effect of that change. I am suspicious. If the position is that the code, when it is introduced by regulation (which is what the Bill provides), will be attached to the regulations, people will know what it is and the regulations can be disallowed, thereby disallowing the code, and that is fine. But why change from the ordinary position of regulations as we have it now? How will this legislation be interpreted? There is a canon of construction of statutes and other instruments, *ut res magis valeat quam pereat*, which means that the instrument is to be interpreted so as to give it some meaning instead of no meaning.

It seems to me to be likely that a court would interpret this as meaning that there is some reason for the change from the change from regulations to a code to be introduced by regulation. I want to know what the change is and why it was found desirable to do it in this way rather than by regulations, as it has been done previously (as with the food regulations which were required to be reasonably uniform across the Commonwealth). It may be that the Minister, in her reply, can satisfy me on this score, but that is my worry.

I certainly think that it would be a tragedy if this was a measure to lessen the control of Parliament over the making of laws, because it is our system that we have the separation of powers: we have the Parliament which makes the laws, the Executive which carries them out, and the judiciary which interprets matters which come before it according to law. If we find that there is a taking away intended in this from the function of Parliament in making the law or scrutinising subordinate legislation, then I think that would be a tragedy. If there is not, I wonder why it has been necessary to change the system; instead of having regulations to have a code, which is introduced by regulation.

In particular, I want to know whether the code is to be appended to the regulations when they are introduced so that when the regulations come before Parliament it will be known whether or not Parliament may, in its wisdom, see reason to disallow those regulations. Subject to these comments I support the second reading.

The Hon. DIANA LAIDLAW: I, too, support the second reading, but with reservations. I will be seeking answers to many of the questions that were raised by the Hon. Mr Burdett, but I also have other questions. This Bill proposes a number of amendments to the Building Act, the major one being new provisions to the adoption in South Australia of the proposed building code of Australia. Essentially, the Bill represents a further step in a saga that I understand has run for some 60 years in this State in which both the State Government and local government have sought to ensure the proper regulation of building methods and practices.

Our Building Act first came into operation in 1923, and I understand that to this day South Australia is the only State to have a separate Building Act. Apparently all other States have enabling legislation usually contained in their local government legislation, with a major part of the regulatory provisions contained within building by-laws and

regulations. During the late 1950s the building industry called for a complete revision and updating of the Act to accommodate a system of administration that could more readily be adapted to changing methods of construction and new materials.

However, this major step was deferred in 1964 when the Ministers of Local Government of the various States established an interstate standing committee to prepare an Australian uniform building code. In 1970 the Parliament passed the current Building Act to provide a new code to regulate building work and practice in South Australia. The Act applies to all parts of the State where local government operates and its provisions relate to the administration of the Act by local government, the powers and duties of building surveyors and inspectors, the adjudication of building disputes by building referees, and the function of the Building Act Advisory Committee and similar machinery matters.

The Act leaves the detailed technical requirements relating to the standards to which buildings and building work must conform to be established by regulation. The resort to regulations was deemed desirable at that time because, as the Minister of the day (Hon. G.T. Virgo) noted, 'in this form they may be more easily amended as changes are made in the nature of building materials and in building sites and practice'. Of course, the regulation provisions had the additional desirable element, in the view of the Liberal Party, that any changes had to be gazetted and tabled in Parliament for the scrutiny of members and potentially for disallowance, if that was deemed necessary.

In 1974 the Building Act and its accompanying regulations came into operation. The regulations were, and still are, modelled on the Australian Model Uniform Building Code authorised by the Australian Uniform Building Regulations Coordinating Council (AUBRCC) which is representative of the Commonwealth Government, the States and Territories. The regulations reflect the uniform code with only a minimum of alterations to meet our local needs. South Australia has two representatives on AUBRCC. I recall that between 1979 and 1982 when Mr Murray Hill was Minister of Local Government and I worked with him as his ministerial assistant he often used to have enthusiastic discussions on the nature of the code with the two South Australian representatives on the committee.

At that time they were the Director of Local Government, Dr Ian McPhail, and the Deputy Director, Mr Bob Lewis. Incidentally, Dr McPhail was Chairman of the council at that time and Mr Lewis was Chairman of the executive committee. For his part, Murray Hill was keen to see a simplification of the regulations, believing them to be over-bureaucratic and often cumbersome, to the degree that they had the potential, in his view, to be adding a considerable but unnecessary impost to the cost of building in South Australia.

In the light of that background I am interested to note the reference in the Minister's second reading speech of 5 October that AUBRCC has now redrafted the Australian Model Uniform Building Code, renaming it the Building Code of Australia. He said it was 'the first step in the comprehensive reformulation and simplification of the Australian building regulations'. In that sense, in terms of simplification, this measure is welcome indeed. In his second reading speech the Minister also noted:

The concept of the building code was approved at the Joint Local Government Ministers' Conference in 1986 and enjoys Australia-wide Government acceptance.

He also noted that AUBRCC was seeking the implementation of the code by 1 January 1989—in about two months time. The proposed code and the manner in which it will

become law differ in a number of marked respects from the current practice. First, the code will be introduced not by regulation but rather by a novel procedure using a head power incorporated in the Act, and I quote the Minister's words:

It is not proposed to promulgate the code in the form of regulations to be gazetted and tabled in Parliament. Instead the code will be incorporated or in popular terminology 'called up' by regulation under a head power to be inserted in the Act.

Secondly, unlike the existing regulations, the proposed code will contain no administrative provisions, conferring a power on a local authority, imposing a responsibility on a local authority or any other person or body, or describing particular administrative procedures. Therefore, at some later stage there will be a need for a separate set of administrative regulations to complement the proposed code.

In addition to those administrative regulations, the Minister noted that there will also be a need for modifications to be introduced to the code based on local laws and practice. As the Hon. Mr Burdett noted, the Liberal Party has a number of difficulties about the manner in which the code will become law. For instance, we are most concerned that the code will not be implemented by the normal or usual processes of regulation which, in effect, removes consideration of the code from the scrutiny of Parliament. This action may not be seen to be a detrimental move at this stage, especially as the major groups to be affected by the new code (and certainly, we have consulted with the LGA, the Housing Industry Association and the Construction Contractors Federation) have all identified that they are satisfied with the content of the code. However, that may not always be the situation, and that is the concern of the Liberal Party.

The Minister has mooted that modifications to the code are imminent, based on local law and practice, yet these proposed modifications have not yet been prepared for consideration, as I understand it, yet alone for endorsement by those who will be most affected by the modifications. It would appear from the Minister's second reading speech that such modifications and any further modifications of this nature or even substantial changes to the code in the future could be implemented without consultation with or the concurrence of bodies such as the LGA, the Housing Industry Association or the Construction Contractors Federation, and without the safeguard of the scrutiny by Parliament.

If this proposition is correct, the Liberal Party believes that it is not only a questionable step but also a potentially dangerous one. I would welcome the Minister's comments on the process to be adopted for the implementation of the code, the administrative regulations and all future modifications or changes to the code. In this respect, I have a number of specific questions of the Minister. Are the proposed administrative regulations and all future administrative regulations to be gazetted and tabled in Parliament for the scrutiny of members? In regard to that question, it was not clear from the Minister's speech whether her reference to regulation meant a head power or whether she was referring to the usual process of regulations being submitted to the Joint Committee on Subordinate Legislation.

Secondly, are the proposed modifications to the code to accommodate local matters and all future modifications and changes to the code to be implemented only if the major parties—the LGA, and so on—have been consulted on the changes and concur in them? Thirdly, if the LGA, etc., does not agree to the proposed future modifications or changes to the code, what undertaking has the Minister provided or is able to provide to those organisations that South Australia

will not be bound to implement the modifications or changes to the code?

Fourthly, do all future changes to the code have to be agreed to unanimously by all the Governments—Federal, State and Territory? If that is the case, and if South Australia had an objection, will we be swamped, for instance, by the views of the other States, Territories or the Commonwealth against the best interests of South Australia? These questions and the answers to them are important considerations. In my view their relevance is compounded by the fact that this Bill also provides for the incorporation by regulation of a standard or other document prepared or published by a prescribed body such as Standards Australia.

The Bill appears to allow a standard as a whole to be incorporated by regulation into the code (and, again, I assume that that is by a head power) without scrutiny of the detail of the standard by Parliament to ensure that it is in the best interests of the State, builders, consumers and local government. I would say that the Liberal Party is keen not only to question but also to receive answers on this feature of the Bill, which relates to clause 16, and, depending on the answers, we may yet find it necessary to frame amendments to provide proper scrutiny by the Joint Committee on Subordinate Legislation and the normal rights of any member to move disallowance.

Due to the major nature of the changes proposed in the new building code and the desire to ensure that it is implemented from 1 June 1989, the Bill provides for a transitional period of at least 12 months. In this respect the Bill provides for a head power, for the code to be invoked by the proposed set of administrative regulations or alternatively and exclusively for the existing regulations to operate.

Therefore, for a time after the code's introduction it is proposed that a builder will be given the opportunity to choose to comply with either the appropriate requirements contained in the code and the supporting administrative regulations, or the existing regulations. I would appreciate the Minister's advice on this matter. If a builder of a major project opts to comply with the existing regulations 12 months after the commencement of the new code, will he or she be able to do so notwithstanding that the project is not scheduled for completion for another four or five years?

If the project is not scheduled for completion for four or five years and the builder opts to comply with the new code, if that new code is changed within that period does the builder merely have to comply with the code at the time or must he take into account the changes, whether they are approved or whether or not Parliament has the opportunity to scrutinise them? Also, why must a vital procedural document such as the code be on site and available for inspection and copying but not have to be tabled in Parliament? The point which was made to me as I entered this Chamber is that Parliament should not be treated like this. I therefore raise the point that it seems an odd set of standards that the code must be available for inspection but that the Parliament itself will not be able to inspect, comment upon, scrutinise and possibly disallow it.

Finally, I note that the Bill also provides for a substantial upgrading of the various penalty provisions set out in the Act which have remained unaltered since the inception of the Act in 1974, and the Liberal Party has no objections to those provisions. I repeat that the Liberal Party does support the second reading of this Bill but looks forward to answers from the Minister to the questions which I have posed and which have also been posed by the Hon. Mr Burdett as to the means by which the code will be incorporated and by what means, if any, the content of the code and any future

changes or modifications can be scrutinised by the Parliament.

The Hon. BARBARA WIESE (Minister of Local Government): I think it is necessary to retrace some history in order to answer the questions of members in this place. I hope that, once I have been through that process and attempted to answer the questions that have been raised, there will be agreement that the procedure that is being adopted by the Government in this matter is acceptable.

As the Hon. Ms Laidlaw pointed out, in 1964 local government Ministers nationally agreed that there should be an attempt to achieve greater uniformity in building regulations across Australia. That led to the production of the Australian Model Uniform Building Code, upon which most States based their regulations.

From that, it transpired that there was quite significant variation between States in the regulations that were adopted and an enormous number of departures from that model code. It was decided in the mid 1980s that a new approach should be tried in order to encourage greater uniformity of technical requirements. As a result of that, this idea of developing the Building Code of Australia was agreed to, and considerable work has been done during the past few years in the preparation of that document. It was decided that to have one single document with which all States would comply would be the best way to go. However, it was also recognised that there would be particular cases in each State where the law or practice would vary and that there should be some provision for those variations to apply where necessary.

The idea of separating the Building Code of Australia itself from any variations that might be made by individual States would ensure, first, that very close scrutiny would be given to any variations which might be deemed justified, and that there would be much greater capacity to ensure that those variations were isolated and considerably reduced on past practice. It is very important in that process to ensure that the Building Code of Australia remains separate and stands in its own right as the technical code for Australia, and that it should not be absorbed into various States' regulations when variations from the model document are deemed necessary so that the Building Code of Australia does not lose its identity and can be readily identified.

What is intended in practice is that the Building Code of Australia would form an appendix to the Building Act, as would any variations that were deemed necessary here in South Australia. It would be very easy for anyone perusing those documents to be able to identify which areas of the Building Code of Australia had been changed, because it would be notated in such a way that the variations could be clearly identified. One would not have to compare one document with the other, as one might with a set of regulations, in order to identify the variations that exist for South Australia. This matter has been the subject of scrutiny at Local Government Ministers conferences for the past few years.

There has been national agreement that the procedure that we are following here, with the calling up of regulations, should be pursued nationally. The first State to act in this regard has been Victoria, which has already introduced legislation, and our Bill has been modelled very closely on the Bill that has already been introduced in Victoria. It is intended that in all other States similar legislation will be introduced in order to give effect to these new provisions in the same way across the country.

I will be more specific about the questions which have been raised, in response to the issue of scrutiny of the

Building Code of Australia itself. It is intended that the building code will be finalised before any regulation is brought forward to the Parliament for adoption. Therefore, the Parliament will be able to look at the Building Code of Australia before the regulation is adopted. It will also be possible for Parliament to scrutinise any future proposed changes to the Building Code of Australia, as well as any of the administrative or any other variations which may be considered necessary for South Australia before they are enacted.

Therefore, there will be the capacity for the Parliament to look at these provisions before they come into effect. However, the entire process that has been followed during the course of the development of the building code of Australia has included very extensive consultation across the nation with people involved in the building industry, in local government associations in the various States and anyone else who has an interest in this matter. In this State the Building Advisory Committee has overseen the development of the building code and will be involved in the development of any variations that are deemed necessary for South Australia.

As members would be aware, the Building Advisory Committee in this State has representation from the various sectors of the building industry that may have some interest in this matter. It fully supports the procedures being adopted. It supports the building code, and I would expect that when the regulations peculiar to South Australia are drafted there will be extensive agreement on those provisions.

In fact, under the Building Act the Minister responsible, before presenting regulations or changes to regulations, is required to consult the Building Advisory Committee prior to the preparation of such regulations. Therefore, it is not only current practice that that occurs but there is a requirement that it occur. It would certainly be the intention that if there were to be any changes then there would be extensive consultation and agreement reached before any regulations were presented to Parliament for ratification.

The Hon. Diana Laidlaw: Is it necessary for there to be unanimous agreement by the Federal, State and Territory governments before the Government can bring the regulations in? Are we obliged to follow the unanimous view of all the other States or just the majority of them? Can we stand out alone?

The Hon. BARBARA WIESE: With respect to the building code of Australia we will be bound by the original document. Agreement has been reached across Australia on the original document. If, at any time, any State or Territory brings forward a recommendation for change in some area or another; and there is majority agreement on that, but South Australia does not agree, then we will not be bound by any such change. In fact, we have the power to enact regulations that we deem to be suitable for the South Australian situation.

The Hon. Diana Laidlaw: A modified version of that same new change?

The Hon. BARBARA WIESE: Yes, if that seemed to be a desirable option for this State we would have the power to do that.

The Hon. J.C. Burdett: Could either House of Parliament disallow the regulations bringing in the code?

The Hon. BARBARA WIESE: Yes, the Parliament would have the power to disallow the regulation bringing in the code. However, I would be very surprised if the Parliament were to take such action in view of the fact that this document would have been agreed to nationally by all Governments and building interests. However, the right of the Parliament to take such action is preserved.

There is only one question that I have not answered. The Hon. Ms Laidlaw asked a question about the procedure that builders must conform to during any transition period. It is intended, with the introduction of the building code of Australia, that there would be a period of transition which will be designated although, at this stage, the length of time has not been determined. However, there will be a period of transition during which a builder may either conform to the new building code of Australia regulations or to the old regulations. In future, as and when changes are desirable, there would also be provision for a period of transition for compliance with any particular change that might be introduced.

I hope that that has answered the questions that have been raised by members during the second reading debate. Of course, if there are any outstanding issues I am sure there will be an opportunity during the Committee stage for them to be addressed.

Bill read a second time.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT AMENDMENT BILL

In Committee.

(Continued from 12 October. Page 955.)

Clause 2—'Commencement.'

The Hon. C.J. SUMNER: The Hon. Mr Griffin requested some additional information. I have given him a copy of the judgment in the matter of *Ms L v the Registrar of Births, Deaths and Marriages*, a decision of the New South Wales Equal Opportunity Tribunal. The honourable member asked me to seek the advice of the law officers in relation to whether the existing section 21 of the Births, Deaths and Marriages Act was, in fact, in breach of the equal opportunity legislation. The Crown Solicitor considers that section 21 is not in breach of the Equal Opportunity Act. The opinion is that the Births, Deaths and Marriages Act is a special Act dealing with registration and it is not being implicitly or expressly repealed by the Equal Opportunity Act.

The Crown Solicitor further considers that section 21 of the Births, Deaths and Marriages Act is not in breach of the Commonwealth Sex Discrimination Act. It is not free from doubt in view of the decision—a copy of which I have already provided to the honourable member—of the New South Wales Equal Opportunity Tribunal, which differs from her opinion.

Section 22 of the Commonwealth Sex Discrimination Act provides that a State official cannot discriminate against another person on the ground of that person's sex, marital status or pregnancy in respect of the provision of services to that other person. The Equal Opportunity Tribunal of New South Wales held that the Registrar provided a service for the applicant. The Crown Solicitor considers that the Registrar performs a statutory duty and that any benefit arising out of that duty flows to the State as a whole and perhaps to the child. It does not, according to the Crown Solicitor, apply to the applicant, who is also under a statutory duty.

The Crown Solicitor is therefore of the opinion that the Registrar is not providing a service to either the mother or father of the child. However, the Crown Solicitor clearly indicates that the matter must be regarded as uncertain in the light of the decision in the case at *Ms L v Registrar of Births, Deaths and Marriages* (1985) in New South Wales. However, her opinion is that section 21 of the Births, Deaths

and Marriages Registration Act is not in breach of the Commonwealth sex discrimination legislation but the matter is not free from doubt. The decision of the New South Wales Equal Opportunity Tribunal differs from her opinion.

It is useful to compare section 21 with the change of name provisions contained in section 53 of the Act. Section 53 spells out unequivocally that in order to change the name of the child the other spouse must have consented, or else is not surviving, or the person must have obtained a court order. Section 21, which deals with the entry of a child's surname on the register of births, refers to nomination by the parents. It appears that it was not contemplated that the parents might disagree over the naming of a child. It seems fair to provide a system whereby a solution can be tailored to individual circumstances, that is, to leave it to a court to decide on a suitable surname for the child in the case of any disagreement. As I said previously the number of cases involved is likely to be only two or three each year. I trust that that answers the honourable member's question.

The Hon. K.T. GRIFFIN: What the Attorney-General has indicated confirms the view that I expressed in the second reading, which is that the proposal to allow a court to adjudicate on the surname of a child is unnecessary. The provision of the Births, Deaths and Marriages Registration Act, which currently provides a certain set of principles, is not beyond the State or Federal sex discrimination laws.

The Hon. C.J. Sumner: It is, according to that judgment.

The Hon. K.T. GRIFFIN: A few minutes ago the Attorney-General left me a copy of the judgment of the New South Wales case. I have not had an opportunity to read it and consider the decision in any depth in the few minutes in which I have had it. It seems to me from the headnotes that the case does not deal with the issue to which this Bill is principally addressed. There are quite significant differences between the two sets of circumstances addressed, one by the case and the other by the Act.

In the light of the Attorney-General's response and of the decision of the New South Wales tribunal that has just been made available, is he prepared to report progress to enable me to finalise the Opposition's consideration of the particular provision of the Bill in question with a view to completing it tomorrow? It seems to me that that is not an unreasonable request and that it would facilitate the consideration of the Bill if that were to occur.

The Hon. C.J. SUMNER: The situation probably comes down to a matter of policy, on which I am sure members should be in a position to make a determination. However, I will accede to the honourable member's request.

Progress reported; Committee to sit again.

BUDGET PAPERS

Adjourned debate on motion:

That the Council take note of the papers relating to the Estimates of Payments and Receipts, 1988-89.

(Continued from 6 September. Page 592.)

The Hon. C.J. SUMNER (Attorney-General): I move:
That this Order of the Day be discharged.

Order of the Day discharged.

CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.
(Continued from 5 October. Page 849.)

The Hon. K.T. GRIFFIN: This Bill is referred to in the Attorney-General's second reading speech as being a companion to the Criminal Law Consolidation Act Amendment Bill, which will be dealt with later in the afternoon. Essentially, the two Bills deal with a similar point. The Children's Protection and Young Offenders Act Amendment Bill (No. 2) provides for the issue of warrants where a young absconder leaves South Australia and a warrant under the Service and Execution of Process Act is issued for his or her arrest. As I understand, at present, the Training Centre Review Board issues the warrants. Because of the provisions of the Commonwealth Service and Execution of Process Act and the requirement in that Act that the warrant be issued by an appropriate judicial officer, such a warrant cannot presently be enforced interstate.

The Bill seeks to provide for the Training Centre Review Board to apply to a justice for the issue of a warrant in the circumstances in which a young absconder is now interstate and his or her return to South Australia is sought. The Opposition supports the Bill on the basis that it is necessary to ensure the enforceability of warrants interstate under the Service and Execution of Process Act.

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

CO-OPERATIVES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 October. Page 849.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill, which is a fairly simple measure. It has the support of the Cooperatives Federation and of those cooperatives to which I have sent it and which have responded on it. Essentially, it provides for a redraft of section 46 of the principal Act. Apparently, there were some problems with the old section, which was cross-referenced to other sections of the Act and was picked up from the Companies (South Australia) Code. Those errors are corrected by this Bill. The second reading speech also indicates that the section is drafted in a more easily understandable format, and I agree with that observation.

The amendment to section 50 of the principal Act deals with exemptions that may be granted by the Corporate Affairs Commission requiring a cooperative to appoint a registered company auditor as the auditor. There is presently no power to grant this exemption, but it is desirable that the commission has that power and the Bill deals with that. It is particularly applicable for small cooperatives where the expense of appointment of a registered company auditor would not be warranted in the interests of the protection of members of the cooperative.

The other area of the Bill which is addressed relates to the requirement under the Act that, where a registered company auditing firm from interstate is appointed, at least one member must be ordinarily resident in South Australia. The amendment accommodates an exemption from this requirement being granted by the Corporate Affairs Commission in appropriate circumstances. The Bill addressing these issues is uncontentious and the Opposition is prepared to support it.

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

**CRIMINAL LAW CONSOLIDATION ACT
AMENDMENT BILL**

Adjourned debate on second reading.
(Continued from 5 October. Page 851.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill. As I indicated in my comments on the Children's Protection and Young Offenders Act Amendment Bill (No. 2), the two run in parallel. This Bill makes amendments necessary to allow a warrant to be executed interstate. Presently, any two members of the Parole Board can issue a warrant for the arrest of a person who has been found not guilty of an offence on the ground of insanity but who has absconded interstate while at liberty on Governor's licence. That procedure is not recognised under the Commonwealth Service and Execution of Process Act. The Bill seeks to allow any member of the Parole Board to make application to a justice of the peace for a warrant for the arrest of a person in those circumstances, and that then is valid under the Commonwealth Act. It is an appropriate amendment to tidy up a defect in the principal Act and, accordingly, the Opposition is prepared to support it.

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

**STATUTES AMENDMENT (CRIMINAL LAW
CONSOLIDATION AND SUMMARY OFFENCES)
BILL**

Adjourned debate on second reading.
(Continued from 5 October. Page 850.)

The Hon. K.T. GRIFFIN: This Bill amends the Criminal Law Consolidation Act and the Summary Offences Act and is regarded by the Government as complementary to the package of amendments in the Firearms Act Amendment Bill (No. 2) which was introduced into the House of Assembly on 23 August this year.

The amendment to the Criminal Law Consolidation Act creates a new crime for which the maximum period of imprisonment is 10 years. A person who has the custody or control of a firearm or imitation firearm for the purpose of using it or causing or permitting another person to use it in the course of committing an offence punishable by imprisonment of three years or more or carrying such a firearm when committing an offence is to be guilty of an indictable offence. There is no quarrel with that at all. In fact, there has been some public debate on this issue over a period of time and the Opposition on those occasions has also indicated its view that such a crime ought to be on the statute book.

The second amendment to the Criminal Law Consolidation Act deals with the person who threatens another person with a firearm or imitation firearm without lawful excuse, and such a person is to be guilty of an indictable offence for which a penalty of four years imprisonment or a \$15 000 fine or both is imposed. Again, the Opposition supports this proposed amendment. In respect of both crimes, the inclusion of the imitation firearm is important because for the person at the other end of the weapon, whether it is a real firearm or an imitation firearm, the trauma is just as significant and the threat just as real in each case. That is the evil which is sought to be addressed by these two amendments and, because of that, we are certainly prepared to give our support to it.

The amendment to the Summary Offences Act amends section 15 of that Act, which presently deals with the carrying of any offensive weapon or an article of disguise, or where the person has possession of any implement of housebreaking without lawful excuse. The Bill creates an additional offence where a person in a public place and without lawful excuse carries or has control of a loaded firearm or a firearm and a loaded magazine that can be attached to and used in conjunction with the firearm. The penalty for that is a \$8 000 fine or imprisonment for two years or both. The principle of the amendment is not one that can be disagreed with and, quite obviously, it is to deal with those cases where a person with some criminal or unlawful intent carries a loaded rifle, say, in Rundle Mall or in some other public place and creates some fear in the minds of those around as to the purpose for which that weapon is being carried.

The difficulty, though, comes with some quite ordinary activities, particularly those associated with the rural industry, where a firearm may be carried in the back shelf of a utility. The firearm may not be loaded but it may have a loaded magazine next to it. The vehicle is driven on a public road, which is a public place, and the firearm is carried for the purposes of destruction of vermin on a farmer's property or dogs which, for example, may be savaging sheep. I did raise this issue with the United Farmers and Stockowners, only because I believe that it is in their area of interest and ought to be considered by them. They did express some initial concern to it and, whilst I perhaps should have undertaken some research on the definition of 'public place' and what is a 'lawful excuse', I have not done so and indicate to the Council that I would hope to be able to complete that research overnight with a view to finalising my contribution tomorrow.

It may be that the initial concerns in relation to the sort of circumstances to which I have referred may not be warranted, and it may in fact be sufficient for the farmer to be carrying that weapon in the back of a utility or other vehicle and not have any malicious intent with respect to its use, but it is something that I would like to pursue. Also, can the Attorney-General give some consideration to the issue as it affects that industry? I suppose it could also apply to the member of the shooters club who might be in possession of a loaded firearm in what is a public place but for the purposes of sporting activity.

The only other area to which I ask the Attorney-General to give some consideration is the reference in both clauses 3 and 4 to the definition of 'firearm' which is sought to be included. In both instances, it is referred to as having the same meaning as in the Firearms Act 1977. That is a convenient shorthand way of defining it, but the difficulty is, that, if a person picks up the Criminal Law Consolidation Act or the Summary Offences Act, they ought to be able to see in each piece of legislation what is the definition of 'firearm' rather than having to scoot around and find the Firearms Act to determine whether or not that has been amended. If the definition is repeated in the context of both Acts, that is helpful to the community. If the Attorney-General can give some consideration to that matter, I would appreciate it.

I indicate to the Attorney-General that we will support the second reading of the Bill, but I still have that one area to do some further work on in relation to lawful excuse and public place. I would appreciate it if he would concur with the granting of leave for me to conclude my remarks, which I will do tomorrow, and then hopefully we will be able to

deal with the Bill expeditiously. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.
(Continued from 13 October. Page 993.)

The Hon. K.T. GRIFFIN: The Opposition supports this Bill. It is similar in intent to the next Bill, the Criminal Law (Sentencing) Act Amendment Bill, since it seeks to give certain rights of appeal in respect of young offenders, whereas the Criminal Law (Sentencing) Bill seeks to give rights of appeal in respect of certain adult offenders. This Bill seeks to confer on the Crown a right of appeal to the Full Supreme Court from a decision of a single judge of the Supreme Court to release from detention on licence a child who has been sentenced to imprisonment for life. In addition, it confers a right for the Crown to appeal against an order in the Supreme Court that a child released on licence be discharged absolutely from a sentence of life imprisonment.

If a judge of the court is to exercise a discretion, which acts in favour of the detainee or the licensee where that person is a young offender and is covered by the provisions of the Children's Protection and Young Offenders Act, there ought to be a right in the Crown to appeal against that decision. I believe strongly that all judges and magistrates ought to be accountable to higher courts for their decisions. I must say I am surprised that there is not the provision already in the Act to allow that right of appeal in the Crown, but as it is not there I am prepared, along with my colleagues, to support the granting to the Crown of that right of appeal which makes the single judge more accountable and ensures that the Crown has some opportunity to have a decision by a single judge reviewed in the interests of the public. I can think of cases where that would be useful in the case of those young offenders who have been convicted of murder and sentenced to life imprisonment. In that context I indicate that we support the Bill.

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

CRIMINAL LAW (SENTENCING) ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 13 October. Page 993.)

The Hon. K.T. GRIFFIN: This Bill, as I indicated previously, is similar in content to that of the Children's Protection and Young Offenders Act Amendment Bill (No.3), and the Opposition supports it. It relates specifically to the power of the Supreme Court to make an order for indeterminate imprisonment for those whom it declares to be habitual criminals and those offenders it declares to be incapable of controlling their sexual instincts. Members will recall that when the principal Act was before us in the last session the Government had proposed to remove from the Criminal Law Consolidation Act the power of the Supreme Court to make declarations that certain criminals were habitual criminals and to make orders that certain offenders were incapable of controlling their sexual instincts.

That was reinstated in this legislation, and power was given to the Supreme Court to not only make the orders

for indeterminate imprisonment but also to review them on the application of the criminal from time to time. The Attorney-General indicates, and I accept, that a right of appeal against a decision by the Supreme Court to authorise the release on licence of a person detained in custody pursuant to a sentence of indeterminate duration is not included in the Criminal Law (Sentencing) Act. It ought to be, and this Bill will insert that. For that reason I am prepared to indicate our support for it.

The Bill also gives other rights of appeal, both to the Crown and to the offender, in circumstances set out in it. I again see no difficulty with those sorts of rights being granted because it keeps the judges accountable to the public at large but, more particularly, makes their decision subject to review by a panel of three or more judges. That is in the interests of the administration of justice and ought to be supported. In those circumstances, the Opposition supports the Bill.

The Hon. R.J. RITSON: I will be very brief. The amendments before us deal with a mechanism for review of these orders for people who are declared habitual criminals or who are declared incapable of controlling their sexual impulses. I hope that for two or three minutes I may have some latitude to comment on the principal Act because, as I have said previously, this is somewhat ancient legislation and deals with a symptom rather than a disease. A number of people in society, through a lack of intellect or through the possession of a psychopathic disorder, are unable to live within the law.

Why some areas of offences are picked out and not others for what amounts to public protection and detention rather than penal tariff detention is not clear. Obviously, there is a need for public protection in the case of a repeated sexual offender, but of course some people are unable to control their violent instincts and others are unable to control their arsonistic instincts. Those are all manifestations of the same problem.

So, the question is really whether persons unable generally to control a tendency to abide with the law in serious matters ought to be given a period of detention, whether in a place of punishment or in a place of asylum, based not on what they deserve but on their fitness for release because, in the normal course of events, we have the penal tariffs to be served and a formula for automatic control.

As I say, it is not a case of the rather ancient device of singling out sexual offenders: it is a case of making the diagnosis as to who should be detained in accordance with the penal tariff getting what they deserve, and who should be detained in the public interest, subject to a review of fitness to release. The law still has a long way to go to get it right in that matter. However, that is not really a matter before the Council now for decision. The only matter for decision now is the question of appeal provisions provided in the Bill, and I support those provisions.

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

SUMMARY OFFENCES ACT AMENDMENT BILL

In Committee.

(Continued from 6 October. Page 898.)

Clause 2 passed.

Clause 3—'Expiation of prescribed traffic offences.'

The Hon. K.T. GRIFFIN: I move:

Page 2, lines 5 to 7—Leave out paragraph (b) and insert new paragraph as follows:

(b) where the alleged offence is against section 147 (2) or (2a) of the *Road Traffic Act, 1961*—by an inspector.

After line 7—Insert new subsection as follows:

(4b) The following qualifications apply in relation to the issue of traffic infringement notices for alleged offences against section 1447 (2) or (2a) of the *Road Traffic Act, 1961*—

(a) an inspector may only issue such a notice if it is alleged that the vehicle was overloaded by no more than 2 tonnes;

and

(b) if the offence has allegedly been committed by an overloading exceeding a mass permitted by the Minister in excess of the maximum mass permitted under section 147 (2) or (2a)—the expiation fee must be fixed by reference to the amount of the excess over the amount permitted by the Minister (and not by reference to the amount of the excess over the amount permitted by section 147 (2) or (2a)).

I will proceed with my amendment although I have the feeling already that perhaps I am not going to be successful. It is important to reiterate that, when this Bill was debated in the last session, it got through the second reading but lapsed when the session ended, and it has been restored to the Notice Paper. The point of discussion prior to the end of the last session was that the Opposition had raised a number of matters that we believed required attention, not the least of which being that we had some concern about inspectors in the Highways Department being responsible for administering the traffic expiation scheme.

Our view, which we maintain, is that, particularly in respect of breaches of the Road Traffic Act to which this Bill refers, the expiation scheme should be under the supervision of the police, even though out in the field the detection of some offences may be made by highways inspectors. We believe that there have been difficulties with highways inspectors. Some complaints have been justified and others unjustified, but there is concern about the way in which highways inspectors administer those aspects of the law that are under their general responsibility.

The Opposition was concerned to limit the operation of the expiation scheme to the police. Also, we were concerned to clarify the point at which overloading occurred and the extent to which the expiation scheme was going to apply. I notice that the Attorney-General has a similar amendment to mine which allows the expiation scheme, if passed by the Parliament, to apply only in respect of those overload offences up to two tonnes, and that the amendment which he has and which I have clarifies the method of calculation of the overload—that it is an overload beyond the mass permitted by the Minister, notwithstanding that that permitted mass is in excess of the maximum mass permitted under section 147 of the Road Traffic Act. That is helpful because of the difficulties that have been experienced by transport operators, particularly when they get to court and courts largely ignore the permitted mass and calculate any overload penalty by reference to the maximum mass permitted under section 147.

I also raised the question of volumetric loading in so far as it related to the transportation of livestock. The Attorney indicated that that was the subject of a report to the Minister of Transport, but was not being addressed with reference to this Bill. Whilst I acknowledge that volumetric loading is not directly related to this Bill, nevertheless it is relevant to raise this issue because there are inadvertent overloads, particularly in the remote areas of South Australia where

there are no weighbridges and the loading of livestock and the assessment of weight is particularly difficult.

This is particularly so because it is impossible to gauge the weight or mass of the cattle, for example, being loaded. The volumetric loading which has been proposed by the Road Transport Association and other operators in the industry is consistent with what occurs in, at least, Queensland and the Northern Territory, as I understand it, and some other States, and will certainly be of assistance and take a lot of the pressure off transport operators who carry livestock. My amendment seeks to limit the extent to which an inspector may operate the expiation scheme to those offences occurring under sections 147 (2) and 147 (2) (a) of the Road Traffic Act, which sections deal with overloading.

I notice that the Attorney-General's amendment deals with loading and size of vehicles, and those matters may well be the subject of inspection by Highways Department inspectors but, because the original concept was to focus upon overloading, that is the limit of my amendment. If my amendment is not carried, I indicate that I would support the amendment of the Attorney-General, because it is an improvement on the Bill, but I would still have concerns about the operation of the scheme being vested in the inspectors. It seems to me that it can be quite conveniently administered by police supervising the inspection system.

That is effectively what happens now. The police administrative system does accommodate the reporting of offences and subsequent issue of expiation fees. It is for that reason that we would have concern about the Bill passing, even when amended although, as I say, the amendments do provide a better Bill and to that extent it will be supported.

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

Page 2, lines 5 to 7—Strike out paragraph (b) and insert:

(b) where the alleged offence is against sections 140, 141, 142, 147 or 162 of the Road Traffic Act 1961—by an inspector.

The Government has agreed in principle with the Hon. Mr Griffin's amendment and has, therefore, already substantially compromised on the Bill as originally introduced, which would have applied the expiation procedure to all offences enforceable by an inspector. The Hon. Mr Griffin's amendment applies the expiation system to offences of overloading, enforceable by an inspector, that is, sections 147 (2) and 147 (2) (a). The only difference now between the Government and the Hon. Mr Griffin, given that we have picked up and agreed with the other amendments to which he has referred and which are now contained in his new subsection (4) (b), is as to whether the Bill should apply to any other offences except overloading.

The Government's proposition is that in addition to the overloading offences spelled out in section 147 (2) and 147 (2) (a) of the Road Traffic Act the following other offences should be capable of expiation by an expiation notice issued by a Highways Department inspector, but I point out that the Government has gone only so far as to provide for those offences which relate to the loading of vehicles, so that is a significant restriction on the Bill as originally introduced. Our amendment, in addition to overloading, would also seek to cover section 140, which governs the overall length of the vehicle and of any trailers or vehicles attached to and of any load projecting from the front of or rear of the vehicle; section 141, which governs the width of the vehicle and the attendant loads; and section 142, which governs the height of vehicles and attendant loads. Our amendment also includes section 147, which is the subject of the Hon. Mr Griffin's amendment and covers the maximum masses of vehicles.

So, we add an additional three offences which can be enforced by the expiation system by Highways Department

inspectors but, clearly, that is many less than anticipated by the original Bill. There has been a compromise. We have accepted the Opposition's criticisms of the Bill and incorporated them in our amendment, but we would ask that the Hon. Mr Griffin's amendment be defeated and mine be passed simply on the basis that mine covers an additional category of offences, even though they are still offences relating to the loading of vehicles.

The Hon. I. GILFILLAN: The Democrats intend to oppose the Hon. Mr Griffin's amendment, not on the basis of opposition to its content but in the belief that the Government's amendment goes further, and it will have our support.

The Hon. K.T. Griffin's amendment negated.

The Hon. C.J. Sumner's amendment carried.

The Hon. K.T. GRIFFIN: In consequence of that decision, it is now not appropriate that I proceed with my amendment after line seven. The Attorney-General's amendment is consistent with the amendment just carried and to a very large extent it embodies the principles which I had included in my amendment and had proposed.

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

Page 2, after line 7—Insert new subsection as follows:

(4b) The following qualifications apply in relation to the issue of traffic infringement notices for alleged offences against section 147 of the Road Traffic Act 1961, relating to the overloading of vehicles—

(a) an inspector may only issue such a notice if it is alleged that the vehicle was overloaded by no more than 2 tonnes;

and

(b) if the offence has allegedly been committed by an overloading exceeding a mass permitted by the Minister (that permitted mass begin in excess of the maximum mass permitted under section 147)—the expiation fee must be fixed by reference to the amount of the excess over the amount permitted by the Minister (and not by reference to the amount of the excess over the amount permitted by section 147).

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

APPROPRIATION BILL

Adjourned debate on second reading.

(Continued from 13 October. Page 993.)

The Hon. J.C. BURDETT: I refer to the lines in the Capital Works Program for the Minister of Water Resources. I note that there is proposed expenditure in the 1988-89 budget for the Golden Grove sewers and pumping station, which is in my local area. I also note that there is no provision for the taking over by the E&WS Department of the common effluent drainage scheme which is operated by the Tea Tree Gully council. I can perhaps best explain the matter by reading an article on the front page of the *Messenger Leader* of Wednesday 19 October. The article, headed 'Gully bid for sewerage funds: Council seeks meeting with Premier Bannon', states:

Tea Tree Gully Council will seek a deputation with Premier John Bannon in a desperate bid to break a stalemate over the future of its common effluent drainage schemes.

Council wants the Government to allocate E&WS Department funds to urgently install sewers in about a fifth of Tea Tree Gully—areas presently serviced by old and failing common effluent drains, owned and operated by council.

The deputation bid comes after the Government's latest rebuffs issued by Newland MP Dianne Gayler and Water Resources Minister Susan Lenehan which enraged members of council works committee.

Ms Gayler, responding to council's requests, had said the Government's position had not changed since council first raised the matter in 1981.

'The position remains that the State Government has no plans to take over council's common effluent responsibility or to allocate any funding over the next five years for replacement of your common effluent system with sewers' she said.

Ms Lenehan acknowledged an assurance given by previous Water Resources Minister, Dr Don Hopgood, that a replacement program eventually would be funded from the E&WS capital works budget. But she could not predict when funds would become available.

In a stinging attack on Ms Gayler, councillors Gordon Gallasch and Brian Houlson labelled her response as 'disgusting' and 'presumptuous'.

'Her letter says it will cost over \$20 m and we will have to pay if we want the system upgraded. Well, I thought it was the responsibility of the State Government to provide the service,' Cr Gallasch said.

Cr Brian Houlson said the back of his neck bristled when he read certain parts of both letters. He said Ms Gayler was presumptuous in urging council to progressively upgrade its schemes.

'We don't need to be told that,' he said.

'I thought that was rather unnecessary and quite off-putting.'

I have read the correspondence as listed in the correspondence schedule for the Works Committee of the council. The letter from the Minister, which I thought was not unreasonable, reads as follows:

I refer to your letter of 11 August 1988 in which you request that funds be made available in the Engineering and Water Supply Department's capital works program for the replacement of common effluent drainage systems within the city boundaries by a sewerage system.

I am aware that in 1987 the Minister of Water Resources at the time, Hon. D. Hopgood, gave an assurance that funding for such work would be provided from the capital works program, but was unable to predict when the funds would become available due to financial constraints and the priority of other works.

I reaffirm that assurance; however, I must stress that there are currently no funds available for such a replacement program, nor is there likely to be within the next five years. As I am sure you can appreciate, like my predecessor, I am not able to predict just when funds would become available.

In view of the uncertainty regarding the availability of State funds I understand the Engineering and Water Supply Department put to council that it may be worthwhile for it to consider the option of city funding for sewerage schemes in areas such as the Dawson Drive area at Modbury.

This option was put forward for consideration on the basis that council may consider it preferable to spend money on installing sewerage facilities rather than upgrading common effluent systems and having to maintain them until sewerage schemes using capital works funding are considered.

I thought that that was a reasonable response. Of course, it did not promise anything concrete but, nonetheless, it was in no way offensive and acknowledged the fact that the Minister's predecessor had promised that E&WS funding would be available to deep drain the areas at some time. The other letter, from the local member, the honourable member for Newland, Di Gayler, reads as follows:

Thank you for advising me of council's latest deliberations on the common effluent drainage problems facing council.

I have noted council's resolution of 26 July 1988 regarding the specific common effluent scheme serving Dawson Drive and Angas Court, Modbury. I advise that the member of Parliament for that area is Mr Bob Gregory, member for Florey. As a proper matter of convention and courtesy, MP's do not interfere in matters specific to another electorate. I understand you have written to Mr Gregory concerning that particular area.

Your letter of 11 August 1988 then goes to deal with the general problem of your common effluent schemes.

In essence, your letter again asks that the State Government take over council's common effluent drainage responsibilities and liabilities, and replace those schemes with sewers at a cost of well over \$20 million to South Australian taxpayers, at no cost to council.

I am advised that the Government's position on this proposal has not changed since council first raised the matter with the then Liberal Government in April 1981. The position remains that the State Government has no plans to take over council's common effluent responsibility or to allocate any funding over the next

five years for replacement of your common effluent system with sewers.

As you know, each level of government, including local councils, has substantial infrastructure assets and resulting asset replacement responsibilities. Common effluent drains are one such asset.

In the case of common effluent drainage schemes, it was clear in the 1960s, when council allowed the land subdivisions concerned, that E&WS mains sewerage was not available to those subdivisions.

I am advised that the schemes installed at the time are owned and operated by council and that maintenance and upgrading of the schemes are the responsibility of council. The same situation applies to other councils, with some 70 successful common effluent schemes.

And they are mostly country councils. The letter continues:

In the instance of your council's limited capacity drain in Steventon Drive, Banksia Park, I took the opportunity on behalf of my constituents to discuss this matter with your City Engineer recently.

Along with local residents, I was delighted to hear that during its budget deliberations council decided to install an additional drain to take effluent from subdivisions east of Steventon Drive. I understand council has budgetted for those works to enhance that system and thus improve sanitary conditions for the local residents, particularly in Steventon Drive. I know those residents are pleased with council's decision to rectify the problem.

That was because they had no option. The letter further states:

I am advised that the same approach of progressive maintenance, improvement and enhancement will need to be adopted in other areas served by your system.

On behalf of my many constituents served by council's common effluent schemes, I would urge council to identify those parts of the scheme most in need of upgrading and to devise a plan so that over time, the most outdated parts of the schemes can be progressively upgraded by council.

Madam President, I can understand the two councillors who were reported in the local press being outraged and upset by that response. The Minister's response was reasonable, and I think that it could be interpreted as acknowledging that drainage in the metropolitan area is indeed the responsibility of the State Government—not the responsibility of councils. The member for Newland seems to consider that, in regard to the areas which are subject to common effluent drainage, it is the responsibility of the council to do the work at council's expense which is then passed on to residents through a rating system. That is outrageous and I can understand the attitude of the councillors who have spoken out in the press.

The Tea Tree Gully council is one of the major metropolitan councils in terms of rate revenue and residents. It should not be downgraded to the status of a country council which has to undertake its common effluent drainage schemes. It could be said that, in the first place, the Tea Tree Gully council undertook those schemes and that, therefore, it should carry on with them. That is not reasonable. As the member said in her letter, the scheme started in the 1960s when Tea Tree Gully council was relatively small and on the fringe of the metropolitan area. It is now a large council and its situation is unique. Of its neighbours, Campbelltown is fully sewered, Salisbury is mainly sewered and Enfield is sewered. Tea Tree Gully is unique in being the only council with 20 per cent of its area that is not sewered, for which the responsibility rests with the council—not with the State Government, where it should be. That amounts to 4 000 properties.

The council has 29 separate effluent drainage schemes and the rating system is extremely convoluted. In some

cases there are rates and in others there are service fees, which is the older method which applied at a time when local government did not allow for rates of this kind. The service fees and the rates attempt to cover the cost of operating the scheme, and that is difficult. The actual maintenance cost is fairly easy to assess, but the loans that were taken out to put in the 29 schemes—and they are all different—must be serviced. Recent amendments to the Local Government Act might make it a little easier for the council to put its rates on a more rational basis in future instead of 29 different schemes.

It is not reasonable to expect a council with the rate revenue and number of residents that Tea Tree Gully has, given its status in the local government community generally, to be put on the basis of a country council. Because it is one of the largest metropolitan councils, it is the State Government's responsibility to undertake drainage. In the 1960s, when the council took on these schemes, it was the only way to achieve development in a fringe area. It did not necessarily undertake the responsibility for all time. It was a stopgap measure until the E&WS Department fulfilled its responsibility and took it over. It is not like a hills face situation or Stirling or some other place which have common effluent schemes, which is the only option. It is a very built up area and obviously a case for the State Government's accepting responsibility, as the Minister has partly acknowledged, although the local member has not acknowledged it at all.

The system is failing. The member mentioned a failure that recently occurred in Steventon Drive in Banksia Park. The council repaired it and upgraded it because it did not have any option. It did not have any funds from the State Government. I am informed that, in Fairview Park, a failure could soon occur, and the same could also be said of other areas. In general terms, the system is living on borrowed time and it will fail. The council does not have the funds to upgrade the system or to install a new system, as is needed in various areas. These schemes have a finite existence.

The State Government should fulfil its responsibility and provide drainage. The ideal would be deep drainage but, if the E&WS Department takes over the system in the meantime, that would relieve the council's worries. At present the total cost of the maintenance of the scheme is \$350 000 per annum, which does not allow for upgrading and renewing those parts that have failed. I hope that the Premier will favourably receive the deputation when the council calls on him. When the Minister replies to the debate on the Appropriation Bill, I ask that she states what is the position of the Minister of Water Resources as to whether there is any intention on the part of the Government to take over the scheme. If so, I ask that the Minister give some indication of the time frame. I support the second reading of the Bill.

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

ADJOURNMENT

At 6.8 p.m. the Council adjourned until Wednesday 2 November at 2.15 p.m.