

**LEGISLATIVE COUNCIL**

Tuesday 21 February 1989

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

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

**QUESTIONS ON NOTICE**

The **PRESIDENT**: I direct that written answers to Questions on Notice Nos 14 and 39 be distributed and printed in *Hansard*.

**LEGAL SERVICES COMMISSION**

14. The **Hon. K.T. GRIFFIN** (on notice) asked the Attorney-General: In respect of the granting of legal assistance by the Legal Services Commission for the years ended 30 June 1986, 1987 and 1988:

1. In how many criminal cases was legal assistance granted where the legal assistance cost less than \$1 000, \$1 000 to \$5 000, \$5 000 to \$10 000, and over \$10 000 respectively?

2. In how many Family Court and Children's Court cases respectively was legal assistance granted where the legal assistance cost less than \$1 000, \$1 000 to \$5 000, \$5 000 to \$10 000, and over \$10 000 respectively?

The **Hon. C.J. SUMNER**: On 1 July 1986 the Legal Services Commission of South Australia moved to a computerised system of recording commitment to the private profession in relation to grants of legal aid and payments made in respect of grants of assistance. The commission carefully monitors its commitment to the private legal profession by assigning grants of legal assistance at varying

stages of a matter. A practitioner acting for a legally aided client reports back to the commission at the finalisation of each stage and justifies to the commission why the matter should be taken a stage further. At the time of the change-over to the computerised system, many grants of assistance were current and payments had already been made in respect of those grants which were not taken up by the system. The grants continued in the ordinary way, and commitment and payments made from 1 July 1986 were recorded in the system, but they obviously do not reflect the total payments made in relation to files then current. The longer and more expensive cases were likely to have had costs certified in relation to work done on the file prior to 1 July 1986, but only work done subsequently was recorded upon the system. Accordingly, statistical information available does not truly reflect the cost of assignments. It will not be for some years, until all of the grants of aid are post 1 July 1986 that these statistics can be truly relied upon.

In addition, longer and more expensive matters (and indeed the majority of civil and family matters, and the more extensive criminal matters) span more than one financial year. It is, accordingly, impossible for the commission to identify the cost of matters within each jurisdiction for a financial year. The commission is able to provide information as to the value of commitment to the private profession at any given time, but until all grants of aid are post 1 July 1986 information as to the costs upon cases closed is unreliable. The commission can, of course, provide information as to cases opened and closed since that date, but that is not a reliable sample, as the more expensive cases tend to be longer and have been the subject of certification and payment of costs prior to the date uptake. With the above reservations the following table has been prepared to answer the question.

## PAYMENTS ON CURRENT CASES AS AT 30 JUNE 1988

Assigned Year	Applicants	Matter	\$1-\$1 000		\$1 001-\$5 000		\$5 001-\$10 000		Over \$10 000		Total	
1985-86	Adults	Criminal	132	57 340.01	57	108 946.63	15	94 535.69	5	114 702.43	209	375 524.76
		Family	175	68 642.99	83	178 950.09	9	59 298.95	4	132 751.89	271	439 643.92
	Total Adults	307	125 983.00	140	287 896.72	24	153 834.64	9	247 454.32	480	815 168.68	
	Children	Criminal	9	5 185.20	3	5 004.00	1	8 088.90	—	—	13	18 278.10
		Family	13	4 751.82	10	26 260.36	1	7 689.14	1	32 330.87	25	71 032.19
Total Children	22	9 937.02	13	31 264.36	2	15 778.04	1	32 330.87	38	89 310.29		
Total 1985-86			329	135 920.02	153	319 161.08	26	169 612.68	10	279 785.19	518	904 478.97
1986-87	Adults	Criminal	460	176 763.13	157	314 101.02	9	52 138.35	5	83 289.27	631	626 291.77
		Family	400	151 284.00	121	216 331.99	18	120 707.85	6	80 579.04	545	568 902.88
		In need of care	1	880.00	1	1 148.00	—	—	—	—	2	2 028.00
	Total Adults	861	328 927.13	279	531 581.01	27	172 846.20	11	163 868.31	1 178	1 197 222.65	
	Children	Criminal	37	14 690.70	4	7 477.24	—	—	1	16 084.34	42	38 252.28
		Family	25	11 529.29	20	41 183.02	2	11 705.20	2	26 170.65	49	90 588.16
	Total Children	69	28 777.84	28	55 577.26	2	11 705.20	3	42 254.99	102	138 315.29	
Total 1986-87			930	357 704.97	307	587 158.27	29	184 551.40	14	206 123.30	1 280	1 335 537.94
1987-88	Adults	Criminal	534	169 961.88	41	72 342.91	2	10 545.00	1	18 520.00	578	271 360.79
		Family	339	112 703.67	45	87 431.29	2	16 417.50	1	25 618.52	387	242 170.98
		In need of care	23	9 199.09	6	7 755.38	1	8 181.65	—	—	30	25 136.12
	Total Adults	896	291 864.64	92	167 529.58	5	35 144.15	2	44 138.52	995	538 676.89	
	Children	Criminal	59	18 801.50	7	9 230.50	—	—	—	—	66	28 032.00
		Family	13	5 450.96	7	16 193.58	—	—	—	—	20	21 644.54
	Total Children	77	26 233.58	14	25 424.08	—	—	—	—	91	51 657.66	
Total 1987-88			973	318 098.22	106	192 953.66	5	35 144.15	2	44 138.52	1 086	590 334.55
Total			2 232	811 723.21	566	1 099 273.01	60	389 308.23	26	530 047.01	2 884	2 830 351.46

## PAYMENTS ON FINALISED CASES AS AT 30 JUNE 1988

Assigned Year	Applicants	Matter	\$1-\$1 000		\$1 001-\$5 000		\$5 001-\$10 000		Over \$10 000		Total	
1985-86	Adults	Criminal	1 386	471 146.38	230	457 273.65	12	90 671.65	1	13 714.00	1 629	1 032 805.68
		Family	790	317 481.37	199	367 913.96	5	30 180.43	—	—	994	715 575.76
		In need of care	2	320.00	—	—	—	—	—	—	2	320.00
	Total Adults	2 178	788 947.75	429	825 187.61	17	120 852.08	1	13 714.00	2 625	1 748 701.44	
	Children	Criminal	121	38 442.28	4	5 028.90	1	8 268.00	—	—	126	51 739.18
Family		22	7 368.75	7	14 652.60	—	—	—	—	29	22 021.35	
Total Children	145	46 697.63	12	22 153.15	1	8 268.00	—	—	158	77 118.78		
Total 1985-86			2 323	835 645.38	441	847 340.76	18	129 120.08	1	13 714.00	2 783	1 825 820.22
1986-87	Adults	Criminal	4 360	1 259 758.72	309	518 398.32	9	51 194.15	1	11 816.60	4 679	1 841 167.79
		Family	1 328	534 001.68	200	337 404.82	9	59 695.21	2	24 225.69	1 539	955 327.40
		In need of care	17	9 567.94	4	9 038.40	—	—	1	11 661.80	22	30 268.14
	Total Adults	5 705	1 803 328.34	513	864 841.54	18	110 889.36	4	47 704.09	6 240	2 826 763.33	
	Children	Criminal	467	138 488.43	19	31 916.16	—	—	—	—	486	170 404.59
		Family	35	13 512.06	8	10 789.92	—	—	—	—	43	24 301.98
	Total Children	509	154 700.72	29	45 626.85	1	6 984.00	—	—	539	207 311.57	
Total 1986-87			6 214	1 958 029.06	542	910 468.39	19	117 873.36	4	47 704.09	6 779	3 034 074.90
1987-88	Adults	Criminal	2 512	621 525.50	34	53 993.25	—	—	—	—	2 546	675 518.75
		Family	582	222 546.39	49	68 120.85	—	—	—	—	631	290 667.24
		In need of care	42	20 106.20	3	4 512.15	1	6 774.00	—	—	46	31 392.35
	Total Adults	3 136	864 178.09	86	126 626.25	1	6 774.00	—	—	3 223	997 578.34	
	Children	Criminal	271	72 544.71	3	3 516.00	—	—	—	—	274	76 060.71
Family		13	4 412.31	—	—	—	—	—	—	13	4 412.31	
Total Children	304	84 739.91	4	5 187.00	—	—	—	—	308	89 926.91		
Total 1987-88			3 440	948 918.00	90	131 813.25	1	6 774.00	—	—	3 531	1 087 505.25
Total			11 977	3 742 592.44	1 073	1 889 622.40	38	253 767.44	5	61 418.09	13 093	5 947 400.37

### SOCIAL SECURITY FRAUD

39. **The Hon. DIANA LAIDLAW** (on notice) asked the Attorney-General: Will the Attorney-General ascertain between the years 1984-85 and 1987-88, how many men and how many women in South Australia—

1. were charged under the Social Security Act for fraud;
2. were convicted under the Social Security Act for fraud;
3. were gaoled under the Social Security Act for fraud;
4. were convicted under the Crimes Act for fraud;
5. were gaoled under the Crimes Act for fraud?

**The Hon. C.J. SUMNER:** The information is not readily available to the South Australian Attorney-General. It is suggested that the honourable member should approach the relevant Minister in the Federal Government.

### PAPERS TABLED

The following papers were laid on the table:

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

*Pursuant to Statute—*

South Australian Institute of Languages—Report, 1988.  
West Terrace Cemetery Act 1976—Regulations—Fees.  
Police Regulation Act 1952—Directions to the Commissioner of Police.

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

*Pursuant to Statute—*

Commercial and Private Agents Act 1986—Regulations—Licensing.  
Commercial Tribunal Act 1982—Regulations—Jurisdiction and Register.

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

*Pursuant to Statute—*

State Theatre Company of South Australia—Report, 1988.  
Chiropractists Act 1950—Regulations—Elections and Registrations.

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

*Pursuant to Statute—*

Corporation By-laws—  
Kingscote—No. 28—Kingscote Airport.  
Lower Eyre Peninsula—No. 4—Caravans.  
Millicent—  
No. 1—Permits and Penalties.  
No. 2—Taxis.  
No. 3—Streets.  
No. 4—Garbage Containers.  
No. 5—Council Land.

### MINISTERIAL STATEMENT: ANTI-CORRUPTION BRANCH

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

**The Hon. C.J. SUMNER:** His Excellency the Governor in Executive Council has issued directions to the Commissioner of Police pursuant to section 21 of the Police Regulation Act 1952. The directions provide for the establishment of an Anti-corruption Branch in the South Australian Police Force and its operational and reporting parameters.

The establishment of an Anti-corruption Branch follows the recommendations of the July 1988 report of the National Crime Authority arising from its investigations in this State. The report dealt with a series of operational matters and allegations which had come to the authority's attention in the course of its activities in this State or had been referred to the authority by the Commissioner of Police.

In addition, the report raised some concerns about the adequacy of previous investigations and measures that existed to identify corrupt practices and to investigate allegations of corruption within the South Australian Police Force. In its report the authority makes a number of recommendations in relation to dealing with the issues of police corruption. A central component of the Government's response to the report was the establishment of an office of the National Crime Authority in South Australia. The NCA Adelaide office will deal with operational matters and allegations arising from the July report and a number of other sources.

With the securing of the NCA office in Adelaide, the Government has now moved to implement the National Crime Authority's recommendation that a specialist Anti-corruption Branch be established within the Police Force. The specialist Anti-corruption Branch will target the prevention, detection and investigation of corruption or misconduct within the Police Force.

The Government further believes that the Anti-corruption Branch should have responsibility for investigating corruption of public officials generally and not merely that which may exist or arise in the Police Force. An important feature of the directions issued by His Excellency is the provision for an independent auditor for the Anti-corruption Branch. This will ensure that the branch operations are subject to independent scrutiny and help allay any community concerns that adequate action is not being taken when allegations of corruption against police or other public officials are made.

The Commissioner of Police has been consulted in the development of this initiative and it has his support. The directions of the Commissioner of Police essentially provide for:

- The establishment of an Anti-corruption Branch within the Police Force comprising an Investigation Unit, an Audit Unit and any task force established by the Commissioner of Police to conduct specific investigations.
- The functions of the branch including the investigation of the corruption of public officials, the investigation of police corruption and police misconduct, the auditing of police procedures and investigations and assisting Government instrumentalities in developing practices and procedures designed to prevent or detect corruption.
- The requirement that the branch co-operate with other law enforcement agencies, the NCA, the Auditor-General, the Police Complaints Authority, the Ombudsman and the Commissioner for Public Employment.
- The maintenance of branch records.
- The requirement that police co-operation and access to records be given to the external auditor appointed by the Governor for the purpose of conducting audits or undertaking inquiries requested by the Minister.
- The Commissioner of Police to report to the Minister of Emergency Services on a six monthly basis on the operations of the branch.

The establishment of the branch will, for the first time in South Australia, draw together the internal auditing and security functions of the Police Force with the investigation of wider corruption. Importantly the branch will operate under a well defined charter and be subject to specific external reporting and accountability requirements.

In the execution of its responsibilities members of the Police Force are required to act in accordance with the law and to exhibit a high degree of integrity. Compliance with the law and maintenance of standards of integrity are essential to public confidence in and the proper functioning of the Police Force. The prevention, detection and punishment

of all forms of corruption are essential to the maintenance of good government, the rule of law and public confidence in government, public officials and legal processes. The formation of the Anti-corruption Branch is another important step in combating corruption at all levels.

#### MINISTERIAL STATEMENT: GERONTIC NURSING COURSES

**The Hon. BARBARA WIESE (Minister of Tourism):** I seek leave to make a ministerial statement on behalf of the Minister of Health.

Leave granted.

**The Hon. BARBARA WIESE:** Over the weekend, the Opposition claimed that training courses in aged care for nurses at the Hampstead Centre had been discontinued because of a lack of funds. Once again, we find that the Opposition cannot get its facts right. The truth is that as part of plans to revamp post-basic training for registered nurses, participation in the gerontic courses will be at least doubled.

The Royal Adelaide Hospital, which administers the Hampstead Centre, has reviewed its gerontic courses for enrolled nurses and registered nurses. The assessment of the course for enrolled nurses was that it was inappropriately spread over a period of 12 months. It was considered that it would be better run over six months, and by adopting this format the hospital can more than double the number of enrolled nurses participating from around 14 to 30. This is not a cutback: it is an expansion.

In relation to the course for registered nurses, there has not been a suitably qualified nurse educator available to continue the course. In addition, there has not been a great demand for the course from registered nurses in Hampstead: most students have been from outside. As a result, the RAH is now looking at incorporating the course into the statewide gerontic course being run by the Health Commission at the Continuing Education Centre (based at Glenside). This will expose the students to wider clinical experience, there will be no restriction on the number of registered nurses participating in the course, and it will achieve these improvements with the same amount of funding. These measures are what the Minister calls good management. They are not, as the Opposition chooses to misrepresent them 'severe cutbacks' or a 'scandal'.

#### MINISTERIAL STATEMENT: MODBURY HOSPITAL PATIENT

**The Hon. BARBARA WIESE (Minister of Tourism):** I seek leave to make a ministerial statement on behalf of the Minister of Health.

Leave granted.

**The Hon. BARBARA WIESE:** Last week the member for Morphett asked a question concerning an elderly patient who was transferred from Modbury Hospital to the Royal Adelaide Hospital and was subsequently diagnosed as having TB. The Opposition made a subsequent claim in the press that the patient's condition was not diagnosed at Modbury due to a shortage of funds. I wish to make it clear to members that this was not the case.

Last Friday the clinician attending this patient (in fact, he holds a senior appointment as a Visiting Medical Specialist at Modbury Hospital) stated on radio that this case was particularly difficult to diagnose for purely medical reasons. It had nothing to do with money. The patient had

very unusual symptoms. Extensive investigations for back pain, fever and general debility were carried out by the doctor at Modbury Hospital and, when he could not diagnose what was causing the patient's symptoms, he referred him on 7 February 1989 to the Royal Adelaide Hospital Spinal Unit for a second opinion.

A diagnosis of disseminated (military) TB was established in consultation with thoracic medicine and treatment started on 10 February. This is a perfectly normal way to proceed, and it is to the medical specialist's credit that he took the time to publicly explain the situation. The Minister deplores the Opposition's actions in engaging in a doctor and hospital bashing exercise in an effort to make cheap political capital. As to the degree of infection spread, the chest clinic is already following up all known people who have been in contact with the patient.

Appropriate therapy or follow-up will be offered where any abnormality is found. A list of staff and other patients in contact with the patient is being drawn up by the Modbury Hospital. These and their contacts will be checked as quickly as possible, and on two subsequent occasions over the next 12 months. The patient does not have a cough, and is not producing infectious sputum, so his level of infectivity will be low. However, as I said, the Chest Clinic is rigorously following up any known contacts, just as it does with the 100 or so cases of TB diagnosed in South Australia every year.

While many South Australians are vaccinated against TB, the clinic takes all precautions with anyone who has been in contact with the disease by examining their health history, providing Mantoux tests, and in the event of symptoms being present, providing a chest X-ray. It should be emphasised that these days, TB is an eminently treatable disease. It can be easily diagnosed and prevented from developing.

## QUESTIONS

### UNANSWERED QUESTIONS

**The Hon. M.B. CAMERON:** I seek leave to make a brief explanation before asking the Minister representing the Minister of Health a question on the subject of questions asked during the Estimates Committees that are still unanswered.

Leave granted.

**The Hon. M.B. CAMERON:** Last week we had the situation where public servants were being blamed in this Chamber for the failure to follow up a question in relation to Mr Terry Cameron. I rather wonder now whether we will have a similar exercise in relation to unanswered questions from the Estimates which I put on notice and which I was given an indication would be answered within three weeks. That, of course, is—

**The Hon. Barbara Wiese:** Impossible.

**The Hon. M.B. CAMERON:** If not possible, I will be very surprised at some of the questions that remain unanswered. Some of these questions were put on notice when the Budget allocations were debated in the Lower House in September, a long time ago. I ask the Minister if she could ask her colleague, the Minister of Health, whether he could find answers to the following questions which were asked at Estimates on 14 September:

1. What was the total cost of new furniture bought or on order for the Health Commission's central office? What specific items were purchased or have been ordered, and

what was the cost of each? I would not have thought that information was terribly difficult to obtain.

2. What was the total cost of furniture purchased for the Minister of Health's office? What specific items were bought, and what was the cost of each item?

3. On how many occasions in the past financial year has the radiotherapy equipment at the Royal Adelaide Hospital been out of commission? What was the duration of those periods when they were out of use? I can assure the Minister that if somebody approaches the Royal Adelaide Hospital radiotherapy unit, they will be only too willing to provide that information, because I gather they are sick to death of the breakdown of this very old machine, which has not been changed for some years.

4. Would the Minister provide a detailed breakdown, by speciality, of the number of people waiting for elective surgery at each of Adelaide's seven public hospitals, showing how many have been waiting for 15 months, 18 months, two years, 30 months, three years, 40 months, and four years or longer for surgery? With the new computer system, that should be just a matter of pressing a button and giving the information to the people of this State.

5. Has the Minister now obtained the latest construction cost estimates for the community health centre at Clare? What is the estimated annual running costs of that proposed centre?

6. Does the Minister now have the estimated annual costs for transporting patients from the Blyth district to Clare for either treatment at the health centre or acute care at Clare hospital? None of these questions I would have thought were very difficult. As I said, I have been waiting now since 14 September for some of these answers, and I thought it would not be beyond the control of the Minister to ensure that answers were given. I was particularly upset to get a statement from the Minister that replies to questions are now complete. They certainly are not.

**The Hon. BARBARA WIESE:** If some of these questions have not been answered, I am sure that there is a good reason. As I have done on other occasions during the parliamentary recess, I will take this up with the Minister of Health to see whether it is possible to bring back replies quickly.

#### Mr TERRY CAMERON

**The Hon. K.T. GRIFFIN:** I seek leave to make a brief explanation before asking the Minister of Consumer Affairs a question about Mr Terry Cameron.

Leave granted.

**The Hon. K.T. GRIFFIN:** In Saturday's *Advertiser* Mr George Apap, a Vice President of the ALP at the relevant time, is reported to have said that the State Executive of the ALP met only days after the allegations against Mr Cameron were made in State Parliament in April 1988. He said that he had warned that unless the Executive moved quickly to clear the allegations the 'whole issue could blow up in the Government's face'.

The interesting aspect of the report is that the Executive rejected a proposition that there be an internal inquiry on the basis that it was unnecessary. There is a suggestion that Mr Bannon, who is a member of that Executive, was party to the decision but did not disclose that he had his own inquiry going. This raises the possibility that Mr Bannon was guilty of complicity in not pursuing the departmental investigation last year.

Will the Minister of Consumer Affairs request the Commissioner for Consumer Affairs to have his investigators

determine the extent of any complicity by the Premier in the lack of action on Mr K. Smith's interim report of May 1988 and, in that context, seek access to the records of the ALP Executive to determine the Premier's part in not pursuing the investigation?

**The Hon. C.J. SUMNER:** The honourable member is drawing a very long bow with an explanation of that kind. As is well known, the question was put to the Premier in the House of Assembly. The Premier referred the matter to the appropriate Minister—me—and the matter was then referred from my office, the Attorney-General's office, to my office, the office of the Minister of Consumer Affairs. From there it was sent to the responsible officers, and a report was prepared by Mr Smith. That report—Mr Smith called it an interim report, which it clearly was—was given by him to his superior officer. The superior officer, Mr Beattie, did not take the matter any further, apart from carrying out some further inquiries. That is what happened.

The matter should have been followed up within the Premier's office and within my ministerial office. Obviously, Mr Beattie and Mr Smith should have pursued the matter. In other words, the public servants who were aware of the report should have ensured that it was drawn to the attention of their superior officers. Neither Mr Smith nor Mr Beattie did that, except in the sense that Mr Smith referred it to Mr Beattie, but he did not refer it to any other superior officer. The report rested with Mr Beattie to carry out the additional inquiries or to direct that they be carried out, but that was not done by him.

The investigation that is to be carried out by the Commissioner for Consumer Affairs will be carried out properly, and any relevant matters will be examined. On the face of it, I cannot see how the information put forward by the honourable member this afternoon is in any way relevant to the inquiries, but if the honourable member has any allegations, I am sure that he can put them to the Commissioner for Consumer Affairs for examination.

In fact, the Commissioner for Consumer Affairs has written to the Leader of the Opposition (Mr Olsen) and asked him to cooperate by bringing forward any information which he or members of the Liberal Opposition may have in relation to this matter.

*Members interjecting:*

**The Hon. C.J. SUMNER:** Well, I don't know—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.J. SUMNER:** I am not sure what the honourable member, by his question, is trying to suggest. If anyone in the ALP Executive or anywhere else has any information to put to the Commissioner that should be investigated, then it will be. It is as simple as that.

*The Hon. K.T. Griffin interjecting:*

**The Hon. C.J. SUMNER:** If he considers that it is relevant, presumably he will. On the face of what the Hon. Mr Griffin has said in the Council—

*The Hon. M.B. Cameron interjecting:*

**The Hon. C.J. SUMNER:** From what he has said today I do not see that that has relevance in relation to the inquiry. But, if the honourable member wants to put this matter before the officer responsible for investigating the circumstances surrounding the allegations relating to Mr Cameron, he can do so.

*Members interjecting:*

**The Hon. C.J. SUMNER:** Well, I will make the question available to the Commissioner for Consumer Affairs (Mr Neave) but, on the face of it, as I said when I began answering the question, the Hon. Griffin was drawing a very long bow. Of course, what he wanted to do was use

inflammatory words like 'complicity' to try to cast some aspersions on the Premier. Well, that will not work. What he will have to have is evidence—and hard evidence—if he wants the matter to be pursued. I repeat: the investigation will be carried out as expeditiously as possible. Anyone in the community, including any person in the Parliament, now has, I believe, the responsibility to ensure that any allegations, and evidence to back them up, that they wish to put on this matter are taken to the Commissioner for Consumer Affairs so that they can be inquired into.

#### ENTERTAINMENT CENTRE

**The Hon. L.H. DAVIS:** I seek leave to make an explanation before asking the Minister of Tourism a question about the entertainment centre.

Leave granted.

**The Hon. L.H. DAVIS:** Last year a spokesman for the South Australian Basketball Association and the basketball team the Adelaide 36ers, Mr Mal Simpson, was quoted in the *News* of 7 December as saying that the association's proposal to build a sport and concert complex at Beverley had been delayed by three months because the Government had failed to communicate. Mr Simpson was quoted as follows:

We've done everything in our power to cooperate with them—that is, the Government—

It's disappointing—we don't know what they're doing. We would have hoped to have had more response at this stage.

As a result of the Government's not honouring its 'no ifs no buts' 1985 election promise to build an entertainment centre by the end of 1988 on the Hindmarsh site and its failure adequately to consult with the South Australian Basketball Association, we will now have two entertainment centres within a few kilometres of each other, both with the capacity to hold in excess of 8 500 people.

In fact, less than three months ago—on 29 November 1988 to be precise—in response to a question from me in this Council about the entertainment centre and the proposed centre to be built by the South Australian Basketball Association at Beverley, the Minister of Tourism, in her capacity as Acting Leader of the Government, said:

It is the Government's view that at this time Adelaide is not in a position to support two large entertainment centres.

The fact is that Adelaide will now have two large entertainment centres. My questions are:

1. Does the Minister stand by her view, expressed as Acting Leader of the Government on 29 November 1988, namely, that it is the Government's view that at this time Adelaide is not in a position to support two large entertainment centres?

2. If this is still the Government's view, what are the implications for the economic viability of both centres?

**The Hon. BARBARA WIESE:** It would be the Government's view if the two centres were to be at all similar but, in fact, the two centres that may go ahead are not similar. Certainly, it would have been the Government's preference to have had the opportunity to cooperate with an organisation like the Basketball Association.

**The Hon. L.H. DAVIS:** How could you cooperate if you didn't communicate?

**The Hon. BARBARA WIESE:** Just let me give my reply. Just sit quietly and patiently and you might get the sort of answers for which you are looking.

*The Hon. L.H. Davis interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** You might even succeed in—

*The Hon. L.H. Davis interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** It certainly would have been the Government's preference to have had the opportunity to work in a cooperative manner with another organisation on an entertainment centre in South Australia, particularly as far as funding was concerned but, for a number of reasons, the negotiations that were taking place with the Basketball Association were not successful. Ultimately, it was decided that it would not be a viable proposition for the Government to participate in the project that the Basketball Association had in mind. In fact, at the time that the representative of the Basketball Association was reported to have made the statements to which the honourable member refers, there had in fact been quite long and detailed discussions with representatives of his organisation about the nature of their proposal and about the sort of modifications that would be required in order to bring their project up to a standard that would make it satisfactory as an entertainment centre to serve the needs of our community. It may very well be that the representatives of the Basketball Association were not satisfied with the discussions that they had been having, but the discussions took place, nevertheless.

**The Hon. L.H. Davis:** When?

**The Hon. BARBARA WIESE:** Over a period of months.

**The Hon. L.H. Davis:** After 29 November?

**The Hon. BARBARA WIESE:** Oh yes; as far as I am aware, discussions with the representatives of the Basketball Association were held after 29 November. Certainly, discussions had been held in the months preceding that, and it was not possible to reach a satisfactory agreement with the representatives of the association that would meet the needs of the Basketball Association as well as of those people who wanted to pursue the idea of an entertainment centre complex.

One of the problems with the Basketball Association's project was that there would have to have been quite extensive modifications to the design which certainly would have made it a very expensive proposition. In addition to that—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** In addition to that, there would have been associated parking problems. There would also have been problems associated with the booking—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** —of the venue for the numerous events and functions that would have to have been scheduled there.

*Members interjecting:*

**The Hon. BARBARA WIESE:** This shadow of a man, who has been made not only a shadow but also a ghost by his Party, having been rejected four times out of four, should listen. He might learn, and then he might even become successful in politics. The fact is that it would have been very difficult, if not impossible, for one reason or another, because of the scheduling of events which would have allowed entertainment functions to occur at appropriate times, for an agreement on those things to have been reached with the Basketball Association. That was another contributing factor which led eventually to the Government's taking the view that to pursue a separate proposal would be a more satisfactory way of addressing the needs in this community for an entertainment centre.

Now, that is not to say that cooperative arrangements cannot be made between the Basketball Association and the operators of an entertainment centre. There may very well be occasions, for example, when championship games are played in the entertainment centre rather than at the basketball stadium, should the basketball stadium go ahead, and there may also be occasions where entertainment—concerts and so on—may be held at a smaller venue than the proposed entertainment centre.

Whether or not the two centres will be viable is a judgment that can be made by the operators. Certainly, it would depend quite significantly on marketing activities, but as they stand at the moment we believe that they would be able to proceed. In order to meet the commitment that the Government has made, we will proceed with our own entertainment centre.

**The Hon. L.H. DAVIS:** As a supplementary question, what is different now about the South Australian Basketball Association Centre to be built at Beverley from the case three months ago when the Minister made the statement to the Chamber that Adelaide was not able to support two large entertainment centres?

**The Hon. BARBARA WIESE:** The nature of the Government's proposal has certainly changed since I made that statement in Parliament. I believe that, with the information that I have subsequently received from the Grand Prix Board, which has been examining this matter on behalf of the Government and looking at the various options that may have been possible, it certainly would be possible now for two centres to survive.

Whether or not the Basketball Association now decides to go ahead with its proposal depends very much on its judgment about viability, and that is not something for me to make an assessment about, because the Basketball Association will now have to make its own assessments based on the entertainment component that previously it had written into its own judgments on viability.

**The Hon. L.H. Davis:** Although the Government doesn't think two centres are viable.

**The PRESIDENT:** Order!

**The Hon. BARBARA WIESE:** There will now be other concerts and types of entertainment held at the larger entertainment centre than previously would have been held at a Basketball Association venue, had that been the only one in existence in South Australia. That now changes the composition to some extent but, as I indicated earlier, those matters are based on their own commercial judgments and marketing activities. The Government's proposal and our assessment of viability are based on updated information concerning not only the size of the entertainment centre itself, but also the numerous options and possibilities that exist from other commercial developments and concessions that can be built into an entertainment centre project that would assist in maximising revenue to the entertainment centre itself.

#### SOUTH-EAST PAPER MILL

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister for Environment and Planning, a question about the paper mill in the South-East.

Leave granted.

**The Hon. M.J. ELLIOTT:** On 16 November I asked a question about the chlorine bleaching process used at the Apcel Mill at Snuggery in the South-East. I expressed particular concerns about information that had come from

overseas about overseas mills producing dioxins and, in more recent times, many people will be aware of what has been said about the Wesley Vale mill in Tasmania.

On 11 January, I received a reply to those questions. I referred the answer that I received from the Government to several people overseas who have a great deal more information on the topic. Although I expect more replies, the first one arrived only last Friday. It concerns me that that answer disagrees with that provided by the Government. In particular, in its answer, the Government claimed that the sulphite bleaching process used in the South-East has not been found overseas to lead to the production of dioxins. The information that I received contradicts that statement and several scientific papers demonstrate that several overseas mills which use the sulphite bleaching process produce dioxins.

Reference was also made to a migration study with respect to dioxins leaving products and getting into bodily fluids. I understand that that study has probably been done by the paper people and might be like the cancer studies done by tobacco companies. Recently the British Government clamped down on the use of chlorine bleaching in milk cartons because it was found that dioxins got into milk. The Swedish Minister of Environment has suggested that chlorine bleaching must stop promptly because of problems with a whole range of personal products. The Government's claim about the migration study has been disputed by people in the United States. The Government alludes to a theory that defoamers used in the process may lead to the production of dioxins. That is disputed strongly.

A fortnight ago I met with the Managing Director of Kimberly-Clark and, after a long discussion during which he made many of the claims that the Government has made, he conceded that the mill puts out organochlorins, although he was not willing to say how much. He said that the company had been looking at the problem very carefully for a couple of years but that he would rather not say at this stage what the mill puts out. That issue has been put off on the never-never. It has been suggested to me that, if we are not willing to confront the issue head on, the mill could expand, using a process that is not acceptable worldwide. It would be better if the mill expansion went ahead with an acceptable process. My questions are:

1. Will the Government seek from Kimberly-Clark the sampling protocols, sample collection records, chain of custody records, sample shipping records, instructions to the analytical laboratory in the United States to which samples have been sent, all analytical raw data, including detection limits, signal to noise ratios, and all quality control and methodology control data so the information that the company has sought can be relied upon?

2. Will the Government do its own full study of effluents, emissions and products?

**The Hon. C.J. SUMNER:** I will refer the questions to the Minister for Environment and Planning and bring back a reply.

#### VIOLENCE STATISTICS

**The Hon. CAROLYN PICKLES:** I seek leave to make a brief statement before asking the Attorney-General a question on violence in Australian society.

Leave granted.

**The Hon. CAROLYN PICKLES:** I understand that the Federal Government has set up a National Committee on Violence and that this committee has just—

*The Hon. R.I. Lucas interjecting:*

**The PRESIDENT:** Order! I am unable to hear the question.

**The Hon. CAROLYN PICKLES:**—released a booklet entitled 'Violence in Australia'. I note that the Hon. Mr Lucas considers this a big joke.

*The Hon. R.I. Lucas interjecting:*

**The PRESIDENT:** Order! The question is about violence in Australian society. I am trying to listen to the explanation to determine whether it relates to the question. I ask that interjections cease so that I can listen.

**The Hon. CAROLYN PICKLES:** The booklet draws to the attention of a wide audience in Australia the terms of reference of the committee and presents some of the important facts about violence in our country. The committee has found that there are high levels of public anxiety about violent crimes. It suggests that community views are largely influenced by the attention given in the media to particular criminal events.

The myth that violence only happens to other people and is usually committed by a stranger in a public place is shattered in the committee's preliminary findings. A New South Wales study showed that 40 per cent of violent crimes, particularly against women and children, are perpetrated in the home. A significant aspect of the problem of violence is the cost to the community in terms of death, injury and resultant suffering and loss. Recent research in the United States shows that suicide, homicide and domestic violence involves enormous costs in terms of loss of potentially productive life as well as hospital and health care expenditure. In Australia, the social and economic costs are also considerable. Information given to the committee so far suggests that violence in the home is not a rarity. Moreover, attitudinal studies show that such violence is widely tolerated in the Australian community.

The preliminary findings of the committee are disturbing. I understand that public forums will be held in all States over the next few months. These preliminary findings have serious implications for the community. Will the Minister say whether he is aware of the preliminary findings of the committee and what action has been taken in South Australia to deal with violence in our society, particularly domestic violence?

**The Hon. C.J. SUMNER:** I am aware of the National Committee on Violence, which is an initiative of the Federal Government. I also advise the Council that the South Australian Government has cooperated fully in its establishment and has a nominated person on the committee, a measure which is designed to support the initiative. The committee's task is to try to identify more specifically the cause of violence in our community and to develop strategies to reduce it. The discussion paper that it has put out contains some valuable information. As the honourable member pointed out, one often gets the impression from the reporting of acts of violence that such acts occur predominantly between strangers. The disturbing fact is that many acts of violence occur amongst people who are known to each other and, in particular, there is a high incidence of violence against women and children.

The homicide statistics show an even more disturbing correlation between whether or not individuals are known to each other. The surveys that have been done in South Australia, which are confirmed by surveys in other States and overseas, indicate that most homicides occur between people who are either relatives or acquaintances. About 70 per cent to 80 per cent of homicides are committed by individuals known to the victim, and approximately 40 per cent or 50 per cent of those are committed by individuals on their relatives.

The National Committee on Violence is designed to bring forward for the public's information details of the incidence of violence and where and how it occurs. This is a useful first step in trying to overcome some of the misconceptions about violence in our community. Another misconception is that the incidence of violence is greater than the incidence of property crime. The reality is that the incidence of violent crime is very much lower than that of property crimes. Another misconception is that aged people are more likely to become victims of violent acts. That is not the case. In fact, most violent crimes are committed by youths between the ages of 18 and 25 years. That group is the highest proportion of perpetrators and the highest proportion of victims.

The reality is that the incidence of violent crime against the aged is quite low compared with the youth in the bracket that I have mentioned. The facts that will be elucidated by the committee during its deliberations will provide the community with information to enable them to better assess policies that must be developed to reduce the incidence of violence by identifying its causes.

Two approaches have been adopted in South Australia. One is essentially an enforcement approach, the other is a preventive approach. In respect to the enforcement approach, South Australia has the highest number of police per capita in any State of Australia, and the South Australian Police Force has developed positive community policing policies. Legislation has been introduced and passed in Parliament to clarify and increase police powers in several areas: powers of arrest, the power to remove persons acting in a disorderly manner in places of public entertainment, and the power to confiscate dangerous articles—which was introduced last year, and which revived a section of the Summary Offences Act that had been dormant for some years.

In relation to criminal procedure, the Government has taken an active approach in updating criminal law and procedures to ensure that the rights of victims are adequately protected. Changes have been made to the law of evidence in relation to children giving evidence; in relation to cooperation warnings given in sexual assault cases; and the abolition of unsworn statements. Penalties in the Summary Offences Act have been increased quite significantly and, as Attorney-General, I have taken an active role in appealing, where necessary, against sentences that are considered to be too lenient. Of course, I have acted in consultation with the prosecuting authorities.

With respect to preventive measures, as honourable members would know, the Government has established a child abuse task force which produced a report. Many of the recommendations of that task force have been implemented, including changes relating to the procedures for children giving evidence. A domestic violence task force was also established and produced a large number of recommendations. This has led to a permanent unit within the Department of Community Welfare dealing with this vexed problem. In the area of victims' rights, we have, as honourable members know, taken a lead in Australia in providing rights to victims of crime—rights to information, consultation, and in the sentencing process—through the establishment of victims of crime impact statements. In addition, the Neighbourhood Watch scheme has been actively supported by the Government, and there are now about 100 areas in South Australia covered by that scheme.

The problem of violence in our community, as has been identified by the national community, is one of grave concern, and is one that Australia shares with most of the western industrialised nations. The deliberations of this committee should indicate policy directions for Govern-



ments throughout Australia, not just enforcement policies, some of which I have already mentioned as having been carried out or instituted by the Government, but also broad prevention policies which try to ascertain the basic reasons underlying violent activity and, in particular, violent activity in the home against children and women. The fact that a considerable amount of violence occurs in situations where the perpetrator and the victim are well-known or indeed related, indicates that the problem is much more complex than some commentators have suggested. That fact reinforces the need for broad prevention policies as well as policies that ensure adequate police resources, and adequate enforcement and sentencing through the court system.

#### PERSONAL EXPLANATION: GERONTIC NURSING COURSES

**The Hon. DIANA LAIDLAW:** I seek leave to make a personal explanation on gerontic nursing courses.  
Leave granted.

**The Hon. DIANA LAIDLAW:** I was interested and rather amused to note the ministerial statement made earlier today on the subject of gerontic nursing courses. The Minister went to great pains to discredit statements I made at the weekend about the state and quality of gerontic nursing courses in South Australia. When members read that statement they will see that none of the remarks that I made at the weekend has been denied by the Minister in his statement. However, the Minister seems to wish to convey the impression that I was wrong. The Minister confirmed that the course for enrolled nurses had been cut from 12 months to six months. He also confirmed that the course for registered nurses at the Hampstead Centre had been cancelled. I made both of these claims at the weekend.

In addition, my information came from senior sources within the nursing profession and from within the South Australian Health Commission. Those sources spontaneously rang me again yesterday and confirmed the content of the story in the *Sunday Mail*. They will be rather amused, and perhaps even angry, to read this statement from the Minister today. I also note that remarks were made to me by those senior sources within both the Nursing Federation and the Health Commission that decisions are being made within the Health Commission—

**The PRESIDENT:** Order! A personal explanation should be an explanation regarding personal matters.

**The Hon. DIANA LAIDLAW:** Yes, and this is a reflection that I got my facts wrong. That is what the Minister claimed. What I am saying is that I did not get my facts wrong and I am stating that people central to the running of these courses and to the decision-making and funding within the Health Commission are upset that decisions are being made by the hierarchy in the Health Commission—by people who have no understanding of the needs of gerontic training and courses and no understanding or care for the nursing needs of elderly people. In comparison to the situation interstate, they are extending the courses—not cutting them back.

**The PRESIDENT:** Order! What happens interstate is not relevant to a personal explanation.

**The Hon. DIANA LAIDLAW:** I thank you for your guidance. I am rather grateful that whilst the Minister sought to discredit me, and the Opposition generally, I am interested that he has confirmed the statements that I made last weekend.

#### AIDS RESEARCH

**The Hon. DIANA LAIDLAW:** I also seek leave to make a brief explanation prior to addressing a question to the Minister representing the Minister of Health about funding for AIDS research.

**The PRESIDENT:** We do not usually combine personal explanations in the same call as a question.

**The Hon. DIANA LAIDLAW:** I just asked for leave.

*Members interjecting:*

**The PRESIDENT:** The honourable member got the call for a personal explanation. It is not usual to combine a personal explanation with something else as part of the same call from the Chair. I would suggest that perhaps a further question could wait for a separate call.

**The Hon. DIANA LAIDLAW:** I would normally have done so, but the Attorney-General went on for nearly 20 minutes with a Dorothy Dixier so I thought I had better get my question in.

**The PRESIDENT:** Order! There will be an extension of Question Time because of ministerial statements, I am sure.

**The Hon. DIANA LAIDLAW:** But not on the waffle that we have just heard from the Attorney. I have sought leave—

**The PRESIDENT:** But you have not got the call for that. I gave you the call for a personal explanation.

**The Hon. DIANA LAIDLAW:** You gave me the call, and I asked for leave and then asked for leave again.

**The Hon. K.T. GRIFFIN:** She is now asking for leave again.

**The PRESIDENT:** I will put the question, but I remind the Council that leave can be refused. Is leave granted?

Leave granted.

**The Hon. DIANA LAIDLAW:** Thank you, Ms President. My brief explanation is as follows: in the battle to combat AIDS, the Commonwealth Government has directed a range of specific purpose grants to the South Australian Health Commission. This year one such grant was earmarked for the appointment of an officer to conduct research and evaluate public awareness and response to educational initiatives. The grant was assigned for this specific purpose because it was and continues to be recognised that the only way to make further inroads into this epidemic is to ensure that there is more targeted education complemented by an evaluation of the impact of such initiatives.

Notwithstanding the specific conditions of this grant, I am aware that the Health Commission has approved the use of these funds for another purpose—for the appointment of a medical officer attached to the Sexually Transmitted Diseases Unit. A minute to this effect has been endorsed by the Director of Public Health. I understand that members of the South Australian AIDS Council and the Australian Nursing Federation are aghast at this decision to redirect this specific purpose grant, and fear that it will undermine South Australia's previously fine response rate in terms of AIDS education and research. I am advised also that such a redirection of tied funds without Commonwealth approval is illegal, and that in this instance Commonwealth approval has neither been sought nor granted.

Can the Minister say whether it is also her understanding that specific purpose grants from the Commonwealth cannot be used for another purpose unless approval has been sought and gained from the Commonwealth? Further, what action will she or the Minister of Health now take to ensure that the Commonwealth specific purpose funds for this AIDS research and evaluation program are directed to that purpose?

**The Hon. BARBARA WIESE:** I do not know what are the arrangements for Commonwealth provided grants in the

health area, so I do not know whether it is necessary for approvals to be sought in the way that the honourable member has outlined in this particular grant program. However, I will refer the questions to the Minister of Health and bring back a reply.

#### MIGRANT WORKERS CENTRE

**The Hon. M.S. FELEPPA:** I seek leave to make a brief explanation before asking the Minister of Ethnic Affairs a question on the subject of funding for a migrant workers centre in South Australia.

Leave granted.

**The Hon. M.S. FELEPPA:** The United Trades and Labor Council, through its Migrant Welfare Rights Officer, Ms Euginia Hill, has recently completed a submission to both the South Australian and Federal Governments with the aim of obtaining joint funding for the establishment of a migrant workers centre in South Australia. Members would be aware that it is migrant workers who are more often than not the most exploited in our workforce. Migrant workers are often relegated to the most boring, arduous, and menial tasks in industry. They are often the most prone to industrial accidents and injuries, and also to unfair work practices. Added to this, migrant workers are often limited in their opportunities fully to participate in the decision making structures which affect them in their working lives because of language and cultural barriers.

In an attempt to come to grips with the problems facing migrant workers in South Australia, the UTLC held its first Migrant Workers Conference in 1987 which was attended by migrant members of various trade unions, ethnic community leaders, and other interested persons. One of the outcomes of this conference was the recommendation that a migrant workers centre be established to focus attention on migrant workers rights within the trade union movement and the wider community. The submission for funding mentioned earlier is a direct result of both the conference recommendations and wide ranging consultations held in the past four months. Briefly, the UTLC submission supporting the establishment of a migrant workers centre envisages the centre providing the following services, amongst others:

- a referral service for migrant workers;
- facilitation of effective communication between migrant workers, union, employers, appropriate services, and government bodies;
- interpreting and translating services and multilingual information to workers and unions regarding migrant workers rights and responsibilities;
- facilitating training programs supporting greater participation and employment of migrant workers at all levels of the workplace and in the union movement;
- assisting in the co-ordination and provision of worker education programs including English in the workplace courses;
- assisting in the provision of training in occupational health and safety, and the rights and responsibilities of injured workers.

The UTLC submission accurately identifies many of the problems facing migrant workers from non-English speaking backgrounds. It should also be noted that the proposal for the establishment of a migrant workers centre has widespread support within both the trade union movement and the wider community.

In the light of this, I ask the Minister for Ethnic Affairs: first, has the Minister had an opportunity to study the

UTLC's submission for the funding of a migrant workers centre; secondly, can the Minister give any indication of the likelihood of a migrant workers centre being established in South Australia? Alternatively, can the Minister assure the Council that the submission will receive sympathetic consideration by the South Australian Government in the forthcoming budget?

**The Hon. C.J. SUMNER:** I thank the honourable member for his question and for his concern about these issues. He is always prepared to raise issues of this kind in the Parliament and put submissions to Government on issues that affect his constituents, and I thank him for it. In answer to the honourable member's questions, I have in fact received such a submission for the funding of a migrant workers centre, and that submission makes a case for the establishment of such a centre. Obviously, the establishment of a centre of this kind would have resource implications, and that must be examined in the budget context.

The submission that has been made will be dealt with by the Minister of Labour, me and ultimately by the Treasurer and Cabinet in the budget discussions that lead to the formulation of the 1989-90 budget. Consistent with the Government's policy of ensuring that services relating to ethnic minority groups and migrants, and policies relating to multiculturalism are made an integral part of the delivery of services throughout the whole of Government and not just left to the Ethnic Affairs Commission, I have mentioned on previous occasions that task forces have been established in a number of areas, such as health and community welfare, and the reports have produced recommendations that have been acted upon. Another task force operating at present is in the area of local government, and also one has been concerned with migrant workers' needs.

A joint report by the Department of Labour and the Ethnic Affairs Commission will be considered in the context of the coming year's budget. Obviously, it is not possible for me at the moment to answer the honourable member's question definitely. The question of resources has to be examined, the submission has to be assessed and the matter considered with other priorities in this and other areas in the lead-up to the budget discussions. However, I assure the honourable member that the matter will receive serious and proper consideration.

#### HOSPITAL AMALGAMATION

**The Hon R.J. RITSON:** I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Health, a question about the amalgamated Queen Victoria and Adelaide Children's Hospitals.

Leave granted.

**The Hon. R.J. RITSON:** The board of the new amalgamated hospitals is about to be elected against the background of some controversy, in that the staff held a meeting. I should like to quote from the letter that was sent to the Minister. The relevant paragraph reads:

'That this meeting of the staff agrees to inform the Minister of Health that the staff of the Queen Victoria Hospital would have no confidence in the appointment of the Chairman of the Board to the composite board of the new amalgamated hospital.' This open vote was carried by thirty-eight votes to twenty-one with 60 abstentions.

As a result of the renewed interest in elections, a field of very able candidates nominated for the positions of elected contributor members. One of those who nominated was a certain judge.

The Opposition has been advised that the Minister may have sought to influence the outcome of the election in

favour of the incumbent Chairman by expressing to the Chief Justice, either personally or through an emissary, some concern about the candidacy of the judge who, to my certain knowledge, is a man of fine intellect who contributes greatly to public service. Subsequently, the judge withdrew his nomination, following consultation with the Chief Justice, despite the fact that many judges serve the community on a variety of boards, committees and councils without affecting the traditional neutrality of the bench. The Minister has the right to appoint his own representatives to the board. If he has used his influence in an attempt to manipulate the elected positions, there is concern that that amounts to an abuse of his office and power.

Will the Minister of Tourism investigate and discover whether the Minister of Health, or any other person, with his knowledge and authority, approached the Chief Justice with a view to influencing the outcome of elections to positions on the newly constituted joint board of management of the Queen Victoria and Adelaide Children's Hospitals and will she report the results of that investigation to the Council?

**The Hon. BARBARA WIESE:** The honourable member has made some serious allegations. I hope that they are not baseless, like many of the other allegations made against individuals in this place. I shall be happy to refer the question to my colleague and bring back a reply.

**The Hon. R.J. RITSON:** I seek leave to table the letter. Leave granted.

#### NORTH HAVEN TRUST ACT AMENDMENT BILL

In Committee.

Clause 1 passed.

Clause 2—'Commencement.'

**The Hon. C.J. SUMNER:** I understand that some questions were asked about this Bill, and the answers are as follows. The Hon. D.C. Wotton, in another place, asked whether the revenue raising responsibilities of the trust had concluded and sought clarification on his understanding that \$500 000 currently in the kitty is to be made available to the Department of Marine and Harbors to enable it to continue to keep clear the entrance to the harbor.

I advise that the trust's revenue-raising activities have substantially concluded. In addition to minor operating profits derived from the golf course and rent from a kiosk, there will be some further revenue following the sale of these last remaining assets in due course.

A fund to cover the cost of maintaining the inner harbor water depths, revetment and breakwater structures has been established and a total of \$600 000 will be held and managed by Treasury Department. The responsibility for undertaking any necessary works will be assumed by the Department of Marine and Harbors in due course.

In another place, Mr Peterson asked for information on the future expansion of the North Haven golf course. He also expressed concern about public access to the waterfront having gone with the wind.

The possibility of extending the golf course to an 18 hole facility is still being pursued. It is the aim of the North Haven Trust to eventually offer the existing golf course, together with an adjacent parcel of land, for sale subject to certain conditions, including the construction of an additional nine holes by the purchaser. Naturally, the course would have to remain a public facility and the existing

arrangements with the North Haven Golf Club would be preserved.

In relation to waterfront access by the public, I am advised by the North Haven Trust that the developers are bound to provide and construct a continuous walkway abutting the water's edge and extending virtually the full length of the eastern side of the harbor. This and other development obligations are contained in various deeds and will be enforced by the trust. I hope that that answers the questions that were raised by the honourable member.

**The Hon. J.C. IRWIN:** I thank the Attorney for those answers to questions that I asked on behalf of our representatives in another place. I am familiar with the questions that were raised by Mr Peterson and others in debate in the other place, and I will study the answers, which I think, are quite satisfactory.

Clause passed.

Remaining clauses (3 to 9) and title passed.

Bill read a third time and passed.

#### TERTIARY EDUCATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 February. Page 1920.)

**The Hon. R.J. RITSON:** The Opposition supports this Bill and will not have a great deal to say about it. The skeletal Act, which was passed in 1987, whilst setting up the institute, did not tell very much of the story as to how the institute was to function. At that time my colleague, the Hon. Mr Lucas, raised matters with the Minister because he, like many parliamentarians, is a bit unnerved by skeleton Bills and promises about how they will be put into action.

At the time the Minister gave a number of assurances to the Hon. Mr Lucas about the nature of the regulations under which it would function and said that he would flesh out the Act by bringing back an amending Bill to incorporate a number of the regulations in the Act. That is really what this Bill is—the fleshing out of the skeleton Act in line with assurances that were sought and given at that time.

The only substantially new matter that this Bill contains, which was unexpected and not incorporated in the 1987 assurances, is the power to market, as it were, non-award courses. The Opposition finds this to be a useful addendum and supports it. It will be interesting to see how the non-award courses function because Australia is in a unique position to market, commercially perhaps, education, science and technology, and intellectual property to developing countries throughout the world. Some developing countries find it easier and more comfortable to get the technology and educational facilities they need from Australia rather than, for instance, from the super powers where perhaps there may be more political strings attached or some foreign relations difficulties.

I think Australia will increasingly be a supplier of education and technology to a number of third world countries. Whether we see courses in English for foreign students burgeoning, I do not know, but that is one thing that comes to mind. On this occasion the Opposition commends the Government for bringing the Act back and fleshing it out, and I am sure that we will expedite its passage through the Council.

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

**BUSINESS FRANCHISE (PETROLEUM PRODUCTS)  
ACT AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 15 February. Page 1920.)

**The Hon. L.H. DAVIS:** The Opposition supports this Bill, which it is important to read in conjunction with the Motor Fuel Distribution Act. The Business Franchise (Petroleum Products) Act is a vehicle for major revenue raising on the part of the Government. Indeed, in this current financial year (1988-89) the Government, through the business franchise tax on petroleum products, which is based on a fee per litre of petroleum or distillate sold in South Australia, will raise an estimated \$76 million.

As members, at least on this side of the Chamber, know only too well, under this high taxing Labor Government there has been a savage increase in revenue collected in recent years from this source. The Business Franchise (Petroleum Products) Act not only levies a fee on petroleum or distillate sold in South Australia but also, through section 18 (1) (b), raises funds to provide for the administration of the motor Fuel Distribution Act.

The Motor Fuel Distribution Act, which came into force in 1974, regulates and controls the number and location of retail motor fuel outlets in South Australia. At the time of its enactment there was concern about the number of service stations in South Australia, and this Act was introduced to control the number of petroleum outlets in this State.

Outlets selling petroleum or distillate were required to have licences or permits to sell fuel. Where the principal business was the selling of petroleum or distillate there was a requirement to have a licence pursuant to the requirements of the Motor Fuel Distribution Act.

Where the sale of petroleum was not the principal business but was an ancillary part of the business, a permit was required. A permit would be required, for example, by a country store whose principal business was the selling of food and groceries, but which also had a petrol pump; or a permit would be required in the case of a repair shop whose principal business was the repairing of motor vehicles but which also had a pump. Licences or permits, then, were granted under the Motor Fuel Distribution Act which, as I have mentioned had as its primary purpose the control of the number of petroleum outlets in South Australia.

It is interesting to note in the second reading debate that as at December 1984 about 1 700 licences and permits were in existence, but by December 1987 this figure had been reduced to 1 364, a 20 per cent reduction in the number of licences and permits. That reflects at least a 20 per cent reduction in the number of fuel outlets. I understand, in talking to the Motor Trades Association, that the reduction

in petroleum outlets has continued since December 1987, and the figure would arguably be closer to 1 300.

The Government has followed a policy of deregulation and has indicated that it would consider repealing the Motor Fuel Distribution Act, basing its argument on the fact that the Act, which was set up to control the number of petroleum outlets in South Australia, has done its job. There is no further need for the Act; therefore, the Act can be repealed.

That is a commendable initiative, taken at face value. It is certainly consistent with the Liberal Party view of deregulation. However, there has been considerable apprehension on the part of the oil industry and key associations, such as the Motor Trades Association and the Australian Institute of Petroleum (S.A. Branch), about the repeal of the Act at this time. They believe that further rationalisation will take place, and that to repeal the Act could undercut the rationalisation. For instance, oil companies are still closing down sites in the metropolitan area. It is not in anyone's interest to have them re-opened until that rationalisation has been completed, not only in the metropolitan area, but also in the country.

I do not wish to buy into that argument; it is not relevant to this debate. The point of the Bill is, I think, a tacit admission on the part of the Government that perhaps it is premature to repeal the Motor Fuel Distribution Act, and for this purpose the amendment to the Business Franchise (Petroleum Products) Act is now before us to increase for the first time since 1979 the annual fee payable for a licence or permit. It is an increase of 100 per cent, from \$50 to \$100. As I pointed out, this fee is purely to fund the administration of the Motor Fuel Distribution Act, so I take it from the measure before us that the Government recognises that perhaps the time is not quite right for the repeal of the Motor Fuel Distribution Act. In the meantime, to fund the administration of the Act, it has increased the licence fee payable under the Business Franchise (Petroleum Products) Act. The Opposition has no difficulty at all in supporting this measure.

**The Hon. I. GILFILLAN** secured the adjournment of the debate.

**MARKET ACTS REPEAL BILL**

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

**ADJOURNMENT**

At 3.49 p.m. the Council adjourned until Wednesday 22 February at 2.15 p.m.