

# SOUTH AUSTRALIA

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## PARLIAMENTARY DEBATES

(HANSARD)

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### First Session of the Forty-Seventh Parliament (1990)

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The Forty-Sixth Parliament of South Australia having been prorogued until 9 January 1990, and the House of Assembly having been dissolved on 29 October, general elections were held on 25 November. By proclamation dated 14 December, the new Parliament was summoned to meet on 8 February, and the First Session began on that date.

#### LEGISLATIVE COUNCIL

Thursday 8 February 1990

The Council assembled at 11 a.m. pursuant to proclamation issued by His Excellency the Governor (Sir Donald Dunstan). The Clerk (Mr C. H. Mertin) read the proclamation summoning Parliament.

#### GOVERNOR'S COMMISSION

The Commissioner appointed by the Governor to do all things necessary to prepare for the opening of the session, the Honourable Leonard James King (Chief Justice), was announced by Black Rod (Mrs J.M. Davis) and conducted by the President to the Chair.

A message was sent to the House of Assembly requesting members of that House to attend to hear the Commission read. The members of the House of Assembly having arrived, the Clerk read the Commission.

The Commissioner announced that His Excellency the Governor would, in person, declare the reasons for his calling the Parliament together as soon as the new members of the Legislative Council and the members of the House of Assembly had been sworn and the House of Assembly had notified him that it had elected its Speaker.

The members of the House of Assembly and the Commissioner retired.

#### SWEARING IN OF MEMBERS

The President produced a Commission from His Excellency the Governor appointing him to be a Commissioner to administer to members the Oath of Allegiance or receive an Affirmation in lieu thereof; also a writ and returns for the election of 11 members.

The Oath of Allegiance required by law was administered to and subscribed by those honourable members except the Hon. Anne Levy, who made an Affirmation.

*[Sitting suspended from 11.20 a.m. to 2.15 p.m.]*

#### GOVERNOR'S SPEECH

At 2.15 p.m., His Excellency the Governor, having been announced by Black Rod, was received by the President at the Bar of the Council Chamber and conducted by him to the Chair. The Speaker and members of the House of Assembly having entered the Chamber in obedience to his summons, His Excellency read his Opening Speech as follows:

Honourable members of the Legislative Council and members of the House of Assembly:

1. I have called you together for the dispatch of business.
2. Since my last address in this place we have all witnessed changes which have altered the balance and fundamental strengths of international politics.
3. Our State may seem distanced from these dramatic events but they are indicative of a mood that will touch Governments and alert decision makers everywhere, as we move into the 1990s.
4. The political changes in, for example, Europe, have been matched by economic changes in our own region. Our nation's economy is becoming more closely linked with the economic fortunes of our neighbours on the Asia/Pacific Rim.
5. My Government has set as its task the development of a vibrant, adaptive economy capable of taking the best advantage of these new decade opportunities.
6. My Government's program of initiatives and new policy directions has been the subject of much public scrutiny before and after the November 1989 election.
7. At that election my Government put forward an agenda which emphasised four key points:  
*First*, recognition of the role of families as the basic core of our community. Government initiatives and policies will be directed towards ensuring that the needs of

families are met, their aspirations recognised, and their problems dealt with in the most appropriate way.

*Second*, my Government is determined to put the basic priorities of Government—health, education, transport and community safety—at the forefront of all financial and administrative planning.

*Third*, my Government is committed to a new approach to planning which will lead to a sustainable environmental future, balancing investment and the environment in a sensible, rational way.

*Fourth*, my Government continues its commitment to the development of a strong, outward looking economy, which emphasises quality and the provision of jobs with those skills which will ensure an enduring future for our young people.

8. In pursuing these major goals, my Government is embarking on a range of policies and legislative changes which will equip our State for the strong and changing competition that will mark the 1990s.

9. My Government believes these changes will present a comprehensive reassessment of our State's potential, balanced against those environmental concerns which properly value the quality of our future.

10. As the legislative program progresses, my Government will work to position ideas and ideals within a positive, workable agenda of reform.

11. As a central theme, my Government will continue to support the development of new skills industries and their associated employment opportunities within this State.

12. Specifically, my Government will encourage the high technology defence industry sector to broaden its base in South Australia so that its technology and skills flow into non-defence related areas, particularly electronics, heavy engineering, optics and aerospace.

13. An Export Advisory Council, comprising senior representatives from industry, trade unions and Government, is to advise my Government on policies to increase exports from South Australia. A key role of the Council will be to encourage an export culture within industry, the workforce and the community.

14. There is clear recognition by my Government of the need to adapt and shape education and training programs for young people to ensure that our workforce is capable of taking full advantage of the changes in our industry and commercial base.

15. A new charter for South Australian Government schools entitled "Educating for the 21st Century" will help ensure that young South Australians may confidently take their place in the world of the future.

16. This initiative is accompanied by a Curriculum Guarantee for all students in Government schools which will ensure the most appropriate range of courses and training for every student.

17. In the broad area of general employment, my Government will continue to emphasise the development of skills as part of a comprehensive process of award restructuring.

18. My Government will introduce a number of amendments to the Industrial and Commercial Training Act and to the Technical and Further Education Act. The TAFE Act will also be amended to broaden powers of delegation to College Directors and to increase options for employees experiencing temporary disability.

19. Amendments will be introduced to the Tertiary Education Act 1986 to take account of changes to the higher education system, including the accreditation of courses.

20. At a national level my Government will join the Commonwealth and the other States and Territories in

establishing a National Training Board to develop skills standards for vocational training.

21. My Government has a strong commitment to reducing accidents in the workplace and in this regard a new Ministry, Occupational Health and Safety, was recently commissioned. The Minister will continue to carry out my Government's program, which is aimed at improving on an already impressive record of safety in the workplace.

22. My Government plans to amend the Workers Rehabilitation and Compensation Act after wide-ranging consultations with employers and employee representatives have occurred. These amendments to WorkCover will tackle the problem experienced in cross-subsidisation of levies between industries by adjusting the levy rate ceiling in poorly performed high-risk categories. Other amendments will broaden the definition of "disease" in the Act.

23. In the area of health care, my Government will continue to review and update legislation concerned with the registration of those working in associated health professions. Changes in legislation which control pharmacists, psychologists, chiropractors and physiotherapists will be introduced.

24. My Government has clearly stated its commitment to a significant segment of South Australia's population—our older people. As part of this process my Government has already implemented a transport concession scheme for retired people and last month extended pensioner concessions for water rates and electricity.

25. Legislation will be introduced to amend the Retirement Villages Act and new regulations will make it mandatory for Village managements to set out all financial obligations for Retirement Village residents.

26. My Government will also introduce legislation to make it unlawful to discriminate on the basis of age. This will apply to areas such as employment, education, the provision of goods and services, accommodation and in clubs and associations.

27. A comprehensive Home Safety and Security Scheme has been developed to particularly assist older people. The aim of the program is to reduce the actual and perceived risks experienced by older people living alone and will deal specifically with home safety, home security and personal safety reassurance.

28. In the area of law reform, my Government will introduce Freedom of Information legislation in this session. This will take account of local concerns, and reflect experience and reviews of similar laws in other States.

29. My Government plans a wide range of legislative changes and initiatives covering many areas of crime prevention and the punishment of those who break the law.

30. Legislative proposals not finalised in the last Parliament will be reintroduced, including the Children's Protection and Young Offenders Act, the Wrongs Act, the Crime (Confiscation of Profits) Act and the Equal Opportunity Act.

31. New legislation will provide for increased compensation payable to victims of crime, substantial alteration to the system of dealing with offender rehabilitation, and a streamlining of administration in our courts of law.

32. The Crime Prevention Strategy will be implemented progressively over the life of this Parliament. The first meeting of the Coalition Against Crime is currently being organised and a number of projects have begun, including a Crime Prevention Course for youth workers.

33. The Department of Correctional Services will continue to expand its range of programs aimed at assisting offenders to become law abiding members of the community.

34. Proposed changes in the Correctional Services Act 1982 will allow the Parole Board to order those who breach parole to perform community service orders rather than having no alternative but to return offenders to prison.

35. My Government will introduce a Bill to amend the Aboriginal Lands Trust Act 1966 to enable Aboriginal communities to restrict or prohibit the supply of alcohol in specified areas. This will enable an Aboriginal community to have more control over the abuses associated with the illicit sale, distribution and consumption of alcohol within its area, in line with laws already operating within the Pitjantjatjara community.

36. The Social Justice Strategy, launched by my Government in 1987, continues to be reflected in a widening range of Government agencies and Departments.

37. The strategy, aimed at ensuring the best use of resources in equitably meeting the demands of the whole community, has led to an increasing reallocation of funds to those most in need, including new measures to help families buying their own homes.

38. Further development of the strategy this year will lead to closer cooperation between Government agencies, Local Government, community organisations, unions and the business sector. Social Justice priorities will be increasingly emphasised in the policies and Budget commitments through all Government Departments.

39. My Government has introduced free travel on STA scheduled services for all school children, fulfilling a commitment made last year. While this represents a dramatic single change in public transport policy, other areas of transport needs are being addressed.

40. A contract has been let for a further fifty Class 3000 rail cars; natural gas engines for buses are being tested as a replacement for existing diesel engines in an effort to reduce pollution; and transport planning is being further focussed on improving access to the Central Business and Shopping areas of Adelaide.

41. As part of assessing future demand, my Government is also investigating various alternatives for better and faster access to the southern suburbs and the potential of extending the Glenelg tramline.

42. My Government has undertaken a further major expansion of Child Care services to meet the growing demand for quality care for young children. During the next three years the State and Commonwealth Governments will jointly fund more than 2,400 additional child care places in this State, providing increased access to outside school hours care, long day care, occasional care and family day care.

43. Services and regulations aimed at improving conditions for disabled people continue as an important aspect of my Government's social program. This year changes are planned to regulations under the South Australian Building Act in regard to the National Disability Access Code. Regulations for buildings undergoing renovation will also ensure better access for the disabled.

44. Another area of assessment concerns the mechanism provided for electoral redistribution, which will be the subject of review.

45. Planning for the long term provision of the State's energy needs is becoming an increasingly complex process. My Government recognises the need to further develop an integrated response to such issues as ensuring the State's gas supply, controlling energy prices so that they remain competitive with other States, and responding to calls for action to limit greenhouse gas emissions.

46. To open this issue to full public debate, a comprehensive State Energy Plan Green Paper will be released. The

document will canvas the many issues confronting the State's energy sector and propose strategies to deal with these issues.

47. In March this year the interconnection between the South Australian, N.S.W. and Victorian electricity systems will be officially opened. The project is one of the most complex ever undertaken by ETSA and was completed on schedule last December at a cost of about \$200 million. The interconnection will allow the transfer of electricity to or from the eastern States at appropriate times, and should result in significant savings in generation costs to South Australia.

48. My Government has made considerable progress in ensuring the rate of increase of electricity and gas prices has kept below the Consumer Price Index. Over the four year period to June 30 last year, average electricity and gas prices fell in real terms by about 13% and 12%, bringing benefits to all South Australian consumers. Further efforts will be directed at reducing the real cost of these energy supplies.

49. Tariffs are also being restructured in order to ensure that they more closely reflect the cost of supply. In particular, cross-subsidies between consumer groups are being reduced.

50. In addressing the range of issues involved in environmental protection, my Government will be reintroducing a Bill to reform the present Water Resources Act, with particular accent on those activities which cause water pollution.

51. These amendments will partner proposals in the Marine Environment Protection Act and other powers that have already received assent under the Environment Protection (Sea Dumping) Act 1984. The location of contaminated sites, or sites likely to be contaminated by industrial, rural or other activities, will be registered to help ensure that those who pollute bear the cost of rehabilitation.

52. South Australia's rural sector continues to strongly contribute to the State's economic growth. Favourable conditions throughout most of the State this financial year are expected to result in the gross value of agricultural production exceeding \$2 billion for the second successive year. This result includes the biggest wheat harvest in this State's history.

53. During this session of Parliament my Government intends to introduce two Bills of particular importance to the rural sector. The Stock Bill will update provisions in the existing Stock Diseases Act and the State and Northern Territory Rural Adjustment Bill will ratify the Commonwealth State and Northern Territory Rural Adjustment Act 1988, and update provisions for rural assistance.

54. All South Australians should be delighted at the success representatives of our country and our State enjoyed at the recent Commonwealth Games in Auckland. The Games also served as an arena for the initial presentation of South Australia's bid to host the 1998 Commonwealth Games.

55. While this process is quite lengthy, my Government believes we have an excellent chance of becoming the preferred Australian city.

56. Our credentials are reflected in a range of sporting facilities which are completed, under construction or planned. They include the Velodrome, upgrading of the Hindmarsh Soccer Stadium, construction of a new Baseball Stadium and the State Shooting Park which will host a World Title competition later this year.

57. Our bid to host the Commonwealth Games and the hosting of other major sporting events are part of the continuing accent on tourism growth, a key strategy in my Government's economic development program.

58. Later this month the Adelaide Convention Centre's new Exhibition Hall will be officially opened. The additional space provided by the Hall will allow the Convention Centre to bid for a majority of all combined conventions and exhibitions which come to Australia.

59. This year marks the 16th Adelaide Festival of Arts. Over 30 years, our biennial Festival has gained a wide reputation as one of the great arts festivals in the world.

60. A comprehensive economic impact study will be undertaken to measure the benefits to this State generated by the Festival and the Festival Fringe. With attendances at the last Festival reaching 1.3 million it is anticipated that this year's events will attract record audiences and place our Festival in a cultural position which has few equals.

61. I now declare this session open and trust that your deliberations will be guided by Divine Providence to the advancement of the welfare of the people of this State.

The Governor retired from the Chamber, and the Speaker and members of the House of Assembly withdrew.

The President again took the Chair and read prayers.

### PETITION: ABORTION

A petition signed by 350 residents of South Australia concerning abortions and praying that the Council would amend the South Australian law to prohibit abortions after 12 weeks of pregnancy except to prevent the mother's death and prohibit the operation of free-standing abortion clinics was presented by the Hon. J.C. Burdett.

Petition received.

### 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:

Australian Formula One Grand Prix Demountable Pit Building,  
Mount Barker College of TAFE—Mount Barker-Campus Stage I,  
Port Augusta Gaol Redevelopment,  
Upgrade and reconstruction of RN 3160 Main North Road from Wirrabara to Laura,  
Woodcroft Community Centre,  
and final reports, together with minutes of evidence on:  
Burton Primary School,  
Croydon Park College of TAFE Technology Centre for Printing and Visual Communication,  
Port Adelaide Police and Courts Complex.

### PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. C.J. Sumner)—  
Casino Supervisory Authority—Report, 1988-89.  
Department of Correctional Services—Report, 1988-89.  
Correctional Services Advisory Council—Report, 1988-89.  
Listening Devices Act 1972—Report, 1988-89.  
South Australian Occupational Health and Safety Commission—Report, 1988-89.  
Parole Board of South Australia—Report, 1988-89.  
South Australian Superannuation Board—Report, 1988-89.  
WorkCover Corporation—Report, 1988-89.  
Occupational Health, Safety and Welfare Act, 1986—  
Code of Practice for the Safe Removal of Asbestos.  
National Crime Authority—Report, 1988-89.

Acts Republication Act 1967—Motor Vehicles Act 1959—  
Reprint—Schedule of Alterations.  
Friendly Societies Act 1919—Alterations to Constitution of Independent Order of Odd Fellows, Grand Lodge of South Australia.  
Justices Act 1921—Rules—Fees.  
Rules of Court—  
District Criminal Court—  
Local and District Criminal Courts Act—Sittings.  
Local and District Criminal Courts Act and Criminal Injuries Compensation Act—  
Service of Application.  
Local Court—Local and District Criminal Courts Act—Case Management.  
Supreme Court—  
Supreme Court Act—Costs and Hearings.  
Regulations under the following Acts:  
Classification of Publications Act 1974—  
Child Abuse Exemption.  
Exemption.  
Financial Institutions Duty Act 1983—Non-Dutiable Receipts.  
Harbors Act 1936—  
Harbors and Wharves.  
North Arm Fishing Haven.  
Port MacDonnell Boat Haven.  
Port Pirie Boat Haven.  
Robe Boat Haven.  
Legal Practitioners Act 1981—Trust Account Interest.  
Lifts and Cranes Act 1985—Children Prohibited.  
Local and District Criminal Courts Act 1926—Fees.  
Lottery and Gaming Act 1936—Grand Prix Lottery.  
Marine Act 1936—  
Collisions at Sea.  
Surveys and Equipment.  
West Lakes.  
Occupational Health, Safety and Welfare Act 1986—  
Commercial Safety—Earth Leakage Devices.  
Construction Safety—Earth Leakage Devices.  
Industrial Safety—Earth Leakage Devices.  
Pay-roll Tax Act 1971—Exemption Level.  
Superannuation Act 1988—Higher Duty Allowance.  
Subordinate Legislation Act 1978—Expiry Exemptions.  
Supreme Court Act 1935—  
Probate Fees.  
Fees.

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

National Companies and Securities Commission—Report, 1988-89.  
Trustee Act 1936—Regulations—Australian European Finance Corporation.

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

South Australian Centre for Manufacturing—Report, 1989.  
Chiropractors Board of South Australia—Report, 1988-89.  
Controlled Substances Advisory Council—Report, 1988-89.  
Dried Fruits Board of South Australia—Report for year ending 28 February 1989.  
Food Act 1985—Report, 1988-89.  
Foundation South Australia—Report, 1988-89.  
Greyhound Racing Board—Report, 1988-89.  
Institute of Medical and Veterinary Science—Report, 1988-89.  
South Australian Meat Corporation—Report, 1988-89.  
South Australian Meat Hygiene Authority—Report, 1988-89.  
Occupational Therapists Registration Board of South Australia—Report, 1988-89.  
South Australian Psychological Board—Report, 1988-89.  
Radiation Protection and Control Act 1982—Report, 1988-89.  
South Australian Health Commission—Report, 1988-89.  
Recreation and Sport, Department of—Report, 1988-89.  
Forestry Act 1950—Variation of Proclamation—Hundred of Talunga—County of Adelaide.  
Regulations under the following Acts:  
Cattle Compensation Act 1939—Stamp Duty.  
Clean Air Act 1984—Ozone Protection.  
Deer Keepers Act 1987—Registration Fees.  
Food Act 1985—Analytical Methods.

Forestry Act 1950—Reserves.  
 Health Act 1935—Notifiable Diseases.  
 Opticians Act 1920—Registration Fee.  
 Petroleum Products Subsidy Act 1965—Freight Subsidy.  
 Public and Environmental Health Act 1987—Notifiable Diseases.

By the Minister of Consumer Affairs (Hon. Barbara Wiese):

Regulations under the following Acts—  
 Commercial and Private Agents Act 1986—  
 Security Alarm Agents.  
 Security Alarm Agents (Amendment).  
 Land Agents, Brokers and Valuers Act 1973—  
 Advisory Service.  
 Disclosure Exemption.  
 Liquor Licensing Act 1985—  
 King William Street, Adelaide.  
 Port Adelaide.

By the Minister of Local Government (Hon. Anne Levy)—

Aboriginal Lands Trust—Report, 1988-89.  
 Goods Securities Act 1986—Report on Goods Securities Compensation Fund, 1988-89.  
 Industrial and Commercial Training Commission—  
 Report, 1988-1989.  
 South Australian Institute of Technology—Report, 1988.  
 Libraries Board of South Australia—Report, 1988-89.  
 Native Vegetation Authority—Report, 1988-89.  
 Office of Tertiary Education—Report, 1988-89.  
 South Australian Planning Commission—Report, 1988-89.  
 South-Eastern Drainage Board—Report, 1988-89.  
 South Australian Waste Management Commission—  
 Report, 1988-89.  
 Public Parks Act, 1943—  
 Disposal of parklands, Fuller Street, Walkerville.  
 Disposal of parklands, Toogood Avenue, Beverley.  
 Regulations under the following Acts—  
 Beverage Container Act 1975—Refund.  
 Botanic Gardens Act 1978.  
 Building Act 1971—Fees.  
 Education Act 1972—  
 Promotional Positions.  
 School Councils.  
 School Councils (Amendment).  
 Fees Regulation Act 1927—Overseas Students.  
 Industrial and Commercial Training Act 1981—  
 Contracts and Certificates.  
 Local Government Finance Authority Act 1983—  
 Australian Institute of Building Surveyors.  
 Murray Valley League.  
 Metropolitan Taxi-Cab Act 1956—Fees.  
 National Parks and Wildlife Act, 1972—Permits and  
 Protected Species.  
 Planning Act 1982—Development Consent.  
 Real Property Act 1886—Certified Survey.

Corporation By-laws—  
 Campbelltown:

No. 17—Ice Cream Carts.  
 No. 27—Streets.  
 No. 36—Rubbish.  
 No. 39—Poultry.  
 No. 43—Repeal of By-laws.

Henley and Grange:

No. 1—Permits and Penalties.  
 No. 3—Garbage Containers.  
 No. 4—Public Conveniences.  
 No. 5—Parklands.  
 No. 8—Lodging Houses.  
 No. 9—Animals and Birds.  
 No. 10—Dogs.  
 No. 13—Repeal and Renumbering of By-laws.

Mount Gambier—No. 5—Council Land.

Port Pirie—No. 20—Traffic.

Salisbury—No. 4—Parklands.

Unley—No. 1—Repeal and Renumbering of By-laws.

District Council By-laws—

Lower Eyre Peninsula—No. 8—Dogs.  
 Loxton—No. 35—Dogs.  
 Mannum—No. 5—Caravans and Camping.  
 Onkaparinga:  
 No. 2—Streets and Public Places.

No. 3—Garbage Containers.

No. 4—Parklands.

No. 8—Bees.

Willunga:

No. 6—Inflammable Undergrowth.

No. 14—Street Traders.

No. 17—Penalties.

No. 19—Dogs.

No. 20—Poultry.

By the Minister for the Arts (Hon. Anne Levy)—

Art Gallery of South Australia—Report, 1988-89.

Carrick Hill Trust—Report, 1988-89.

Eyre Peninsula Cultural Trust—Report, 1988-89.

History Trust of South Australia—Report, 1988-89.

South Australian Museum—Report, 1988-89.

Northern Cultural Trust—Report, 1988-89.

Riverland Cultural Trust—Report, 1988-89.

South-East Cultural Trust—Report, 1988-89.

State Opera of South Australia—Report, 1988-89.

South Australian Film Corporation—Report, 1988-89.

Art Gallery Act 1939—Regulations—Administration and  
 Offences.

State Opera of South Australia Act, 1976—Regulations—  
 Subscribers.

### 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:** During the past two weeks there has been considerable public debate about National Crime Authority activities in South Australia in relation to a number of matters. I wish to deal with one of those issues today, namely, the circumstances surrounding the receipt by Government of the Operation Ark report. I have previously indicated that I had requested from the NCA reports to enable a full statement on the first 12 months operation of the NCA in South Australia to be made to the Parliament during this autumn session. This statement will be made later in the session, after consideration of the reports which are being examined by the Government. The Government may wish to address other issues raised during the current debate in Parliament next week.

Before dealing with Operation Ark, I wish to make some general remarks about the role and functions of the NCA. I should make it clear that, in relation to matters referred to the NCA, it is a matter for the NCA itself, as an independent federal body, to set its own operational priorities in relation to investigations. I have been this State's representative, nominated by the Premier, on the intergovernmental committee on the NCA since its inception in 1984. The IGC is constituted under the Federal NCA Act, and comprises representatives of the Commonwealth, of each State Government, and of the Northern Territory. Under the NCA Act, the functions of the IGC are as follows:

- to create offices of members of the authority;
- to consider whether approval should be given to the granting of references to enable defined criminal activity to be investigated by the NCA;
- to monitor generally the work of the authority; and
- to receive reports from the authority and to transmit those reports to the Governments represented on the committee.

The State, and the Government's representative on the IGC, hold no power of administrative or ministerial direction or day to day control over the NCA. The NCA is a national body, constituted under Federal law, with its powers being re-enforced by complementary State legislation and, as I have made clear, is not subject to the direction of the South Australian Government except in so far as the

Government participates on the IGC and is responsible for granting references to the NCA. It is true that, with respect to the South Australian Reference No. 2, this was made at the specific request of the South Australian Government, relating only to South Australia, and is wholly funded by the South Australian Government. However, having been given the reference, it is then for the NCA to decide how operationally to carry out the investigation.

I now turn to Operation Ark. To distil matters to the essence, the State Government did not receive from the NCA any reports or letters of transmission of any sort until the formal report of the NCA was delivered to the Government, through the IGC, on 21 December 1989. At that time, the Government was formally made aware of the existence of a document prepared by the authority as previously constituted. The NCA, as presently constituted, disagreed with the contents of that document and advised that the document is not a report of the authority, nor has its contents the support of the authority.

The formal report of the authority was released to the public by me in its entirety on 25 January 1990. Subsequently, on 30 January 1990 I wrote to the authority asking to be provided with a copy of the document prepared by the authority as previously constituted. That document, which was in two parts, was furnished to me on 30 January 1990: on the same day I publicly released the recommendations contained in the document. The document itself is under consideration by the Government. At the time of release of this earlier document, I was questioned by media representatives as to the reasons for the rejection by the Faris authority of the Stewart document. I indicated that I had been provided with reasons and undertook to consider this. I have now done so. The matter has been discussed with Mr Faris, Q.C., and Federal Attorney-General Bowen. To clarify the situation, the Government believes there is no alternative but to release the letter.

I seek leave of the House to table a letter dated 30 January 1990 from Mr Faris, Q.C., Chairman of the NCA, to the Attorney-General.

Leave granted.

**The Hon. C.J. SUMNER:** The Chairman's letter sets out in some detail the history and circumstances of what is described in the letter as 'the proposed report' and, in addition, sets out the reasons for the rejection of the proposed report by the authority as presently constituted. The Government must deal with the authority as constituted. It is not reasonable to expect the Government to second guess the authority in relation to its official reports or earlier documents. The Government is not privy to either the evidence or the discussions that occurred within the authority in respect of the report or the earlier document. Nor is it privy to discussions within the authority that led to the rejection of the earlier report or the reasons for it. These are matters for the authority.

However, while the Government recognises that the reports' conclusions differ in some significant respects, the common ground between the reports is that there is no evidence of dishonesty or corruption within the South Australian Police in regard to the reporting of the Operation Noah allegations. The issues raised by the letter are ones fairly and squarely for the authority to address, subject to any proper role that the Commonwealth Attorney-General, the IGC or the Commonwealth Parliamentary Joint Committee on the NCA may have in that regard.

There has also been media speculation concerning a so-called 'letter of transmission' prepared by the NCA (as previously constituted in June 1989). The State has never received any letter of transmission from the NCA in respect

of the so-called 'June document' or proposed report. However, I inform the House that on Monday 5 February 1990, a ministerial officer of the Attorney-General was advised by telephone, by Mr Faris, Q.C. (the present Chairman of the NCA), that a letter of transmission in respect of the document prepared by the previously constituted authority, had been prepared and signed by Mr Justice Stewart (the former Chairman of the NCA), on 30 June 1989. The authority has informed the Government that the authority, as constituted on 2 July 1989, determined not to forward that document.

The letter of transmission was not sent to the State Government then or at any time and has not to this time either been sighted or received by the State Government. While there may be understandable concerns as to the above matters so far as they touch upon the NCA, the South Australian Government remains confident that the NCA has the capacity and all appropriate powers to investigate and uncover criminal activity and corruption wherever it exists in South Australia.

We also have confidence that the presence of the NCA in South Australia, armed with the task of investigation of all the allegations of corruption which have been referred to, remains the most effective weapon in the Government's anti-corruption strategy.

Some short time ago, as a matter of courtesy, I requested my officers to advise Mr Justice Stewart of the contents of the letter which I have tabled from the National Crime Authority, chaired by Mr Faris. As a result of the letter being faxed to Mr Justice Stewart, Mr Justice Stewart has faxed to me, by letter dated 8 February 1990, certain comments on the letter of Mr Faris, and I also seek leave to table that letter.

Leave granted.

**The Hon. C.J. SUMNER:** In that letter, Mr Justice Stewart sets out his version of events, and honourable members have that before them now for consideration. I would draw attention of honourable members to the second to last sentence of the second paragraph, which is as follows:

Subject to appropriate safeguards, we urge that it—

this the earlier document, the Stewart report, if it could be called that—

be tabled in Parliament and released so that the people of South Australia may draw their own conclusions.

I would indicate that in the Stewart report, as I will now refer to it, the following appears:

This interim report is made pursuant to section 59 (5) of the National Crime Authority Act 1984 to the Attorney-General for the State of South Australia, being the relevant Minister of the Crown of the State of South Australia for the purposes of the Act. Its purpose is to inform the Attorney-General of interim findings pursuant to inquiries conducted into the matter under reference. This report contains material, the disclosure of which to members of the public could prejudice the safety or reputation of persons, or of the operations of law enforcement agencies.

So, Mr Justice Stewart's authority in the earlier document did indicate that there was material in the report, the disclosure of which to members of the public would prejudice the safety or reputation of persons, or of the operations of law enforcement agencies. It now appears, however, that Mr Justice Stewart is saying that, subject to appropriate safeguards, the report should be tabled. I indicate that I have already made public the recommendations in the Stewart report and did that at a press conference some days ago.

Obviously, the question of the release of the full report is a matter that the Government will have to consider in the light of Mr Justice Stewart's remarks. However, it is also true that the Government will have to consider that in the light of the fact that unfair prejudice to individuals named in the report has to be considered as a relevant

factor, as does the question of prejudice to the reputation of persons and prejudice to the operations of law enforcement agencies. However, I do indicate to the Council that the Government, having released the recommendations of the Stewart report, will have to consider whether or not it is possible to release any parts, and if so which parts, of the Stewart report. The reservations in relation to it are those expressed by Mr Justice Stewart himself in the paragraph in his report of which I have already advised the Council.

## QUESTIONS

### NATIONAL CRIME AUTHORITY

**The Hon. K.T. GRIFFIN:** I seek leave to make an explanation before asking the Attorney-General a question about conflicts.

Leave granted.

**The Hon. K.T. GRIFFIN:** Mr Sumner, as Attorney-General—and as he indicated in his ministerial statement—is the South Australian member of the intergovernmental committee established under the National Crime Authority Act. Under the National Crime Authority Act, the committee's functions, again as the Attorney indicated in his statements, include the creation of office of member of the authority where the committee deems that necessary (as in the case of Mr Le Grand's appointment), approve references for investigation by the National Crime Authority, monitor generally the work of the NCA and receive reports from the NCA for transmission to Governments represented on the committee.

According to the 1988-89 Annual Report of the National Crime Authority, the intergovernmental committee met twice in that year. The report states:

As in past years, discussion at these meetings covered a wide range of topics, including amendments to the National Crime Authority Act, cost-sharing and secondment arrangements, resource questions and reports on investigations.

That report also states:

... at the committee's request the authority now provides regular quarterly operational reports to the committee pursuant to section 59 (3) of the Act.

As the South Australian member of the committee, Mr Sumner has a close and continuing relationship with the NCA and receives reports on its investigations.

The Attorney-General is the Chief Law Officer for South Australia. Criminal prosecutions involving State laws are instituted in his name and, generally, are under the day-to-day responsibility of the Crown Prosecutor who is responsible to the Attorney-General. Some prosecutions arise from NCA investigations—prosecutions such as Moyes, Carbone, Sergi, Staltari and Malvaso are some which recently arose from NCA investigations—and there must be a continuing liaison between the prosecuting agency, the Attorney-General and the NCA on these sorts of matters. The 1988-89 report of the National Crime Authority makes the following observations:

... it is not uncommon for one authority investigation to lead to prosecutions by both Commonwealth and State agencies. In such circumstances it is necessary for the authority to keep all agencies informed and generally to fulfil a coordinating role in the closing stages of the investigation. After the matter has passed to the prosecuting agency, the authority may continue to have an involvement through the servicing of prosecution briefs.

In the debate last year on a Bill for an independent commission against corruption, the Attorney-General explained what a Minister or Government could do with the National Crime Authority, in the following terms:

If a Minister or Government is responsible for the operations of such an authority, it can ask questions; it can probe; and it has at its disposal Crown Law officers responsible to the Attorney-General who can assess whether the authority has exceeded its charter, or whether it is riding roughshod over the rights and reputations of innocent citizens.

These, then, are areas in which the relationship between the NCA and the Attorney-General is close and continuing. On the other hand, the Attorney-General, reportedly, has referred allegations concerning himself to the NCA for investigation. Simply put, he says to a body, with which he has close professional and Government ties, 'Investigate me.' My questions are:

1. How can the Attorney-General explain away these significant conflicts and refuse to stand aside from the office of Attorney-General and all its powers and responsibilities while the NCA conducts its investigations into matters which affect the Attorney-General and which he says he himself referred to the NCA?

2. How is it possible to put into an isolated compartment reports on investigations by the NCA on allegations made against the Attorney-General yet continue to discuss operational matters and investigations at the two meetings of the intergovernmental committee per year and receive quarterly reports on all these matters?

**The Hon. C. J. SUMNER:** I indicated in my ministerial statement that other matters relating to the National Crime Authority had been raised in recent times and that the Government may wish to address some of those next week, after further consideration. However, in response to the honourable member's specific questions, I point out that I have answered them in detail in up to two hours of press conference time that I have given to the media on this particular issue over the past two weeks.

It is worth remembering that the substance of the Masters' allegations, the *Page One* story in 1988, was that politicians, lawyers and policemen have been videotaped in brothels and, because they have been videotaped in brothels, they are soft on corruption. That was the substance of the Masters' allegations. As was indicated by the Deputy Premier at the time, it was always intended that those allegations would be inquired into or would be placed before the National Crime Authority, which they were. The Masters' report was specifically referred to in the Deputy Premier's press statement, which he issued when the reference was granted on 24 November 1988.

In February, about the same time as the authority was formally establishing itself in South Australia, I wrote a letter to Mr Le Grand, in which I drew attention to a number of matters. That letter has also been made public. Included in that were not just the Masters' allegations, although they were listed: the letter also contained allegations by the Hon. Mr Gilfillan, allegations made in the *Sunday Mail* by Mr Bob Bottom, and other matters which I insisted that the authority should have before it. I insisted that the authority should investigate thoroughly all allegations made in the public arena, in Parliament and in the media during 1988. That was the manner in which this particular matter relating to me was placed before the National Crime Authority. Obviously, it is a matter into which the authority is now inquiring.

At the time that the new authority—the Faris authority—took over and decided to activate this inquiry, which I understand prior to that had not been activated, a meeting was held in South Australia with Mr Faris. The following people were present at that meeting: Mr Faris, QC, Chairman of the National Crime Authority; Mr Tobin and Mr Le Grand of the authority; Mr John Doyle, QC, the Solicitor-General; Mr Kym Kelly, the Chief Executive Officer of

the Attorney-General's Department; the Premier; and I, as Attorney-General. At that meeting, as I have reiterated in the recent public statements that I have made, the authority informed the Government that it intended to investigate the allegations contained in the Chris Masters' *Page One* TV program, televised on 6 October 1988, relating to the videotaping and blackmailing of senior public officials and politicians. To the extent that those allegations might involve the Attorney-General, it was agreed that the authority would report to the Premier and that the Premier would nominate a contact officer for liaison purposes. In the event, the officer nominated was Mr Guerin and, in his absence, Mr Foreman, who is Mr Guerin's deputy.

To ensure that there could be no appearance of the matter being handled with other than complete propriety, the Solicitor-General (Mr J. Doyle, QC) was specifically asked to be present and was present throughout these discussions. It was arranged that the Attorney-General would, pursuant to the State NCA Act, delegate his powers to grant immunities to the Solicitor-General. The formal instrument of delegation to operate in relation to these matters was executed by the Attorney-General on 10 August 1989. I make quite clear that the reporting arrangements that I have described were discussed in detail at the August meeting with Mr Faris of the National Crime Authority and had the full approval of the authority.

Subject to those special reporting arrangements relating to the investigation and reporting of allegations against the Attorney-General, it was agreed that the Attorney-General would retain his membership as a representative of the State on the intergovernmental committee. The problem of conflict was specifically recognised at the time and arrangements were put in place to ensure that that conflict would not create difficulties for the Attorney-General, the Government or the National Crime Authority.

I suggest to members that it would be quite preposterous for any public official, Minister or Attorney-General to be put in a situation in which I have been placed and then be forced to stand aside. If members could put aside the chance for political opportunism that they may see in this particular issue, they would recognise that they could all be subject to what, in effect, would be blackmail. What could happen to any member—Minister or otherwise, but particularly the Attorney-General—or other public official is that spurious, outrageous, untrue or false allegations could be made about them and, because an investigating authority felt that those matters had to be examined to clear the air, the person involved would have to stand aside. That is an utterly untenable situation for anyone in Parliament. It would make all of us, Ministers or otherwise, subject to that sort of blackmail. It is probably worthwhile observing that, had members opposite got those few extra votes at the last election, the Hon. Mr Griffin would have been Attorney-General in the incoming Government and, apparently, now that he is being investigated by the National Crime Authority he would—

**The Hon. K.T. Griffin:** Who says?

**The Hon. C.J. SUMNER:** I don't know. The Hon. Mr Gilfillian has announced to the world that he and the Hon. Mr Griffin are, apparently, targets—

**The Hon. K.T. Griffin:** If I was under investigation, I would stand aside.

**The Hon. C.J. SUMNER:** Well, you wouldn't, and you know you wouldn't.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.J. SUMNER:** Oh, no. I do know that when there were allegations relating to interference in the judicial

independence by former Attorney-General Duncan and Premier Dunstan in the late 1970s—one would suspect a serious matter—involving a Judge Wilson, neither Premier Dunstan nor Attorney-General Duncan stood aside. It is also worth noting that, in the end, the allegations made by Judge Wilson were not proceeded with and not sustained. It is probably worth mentioning in this Chamber that a prominent member of the Liberal Party—and I will not mention his name because it is the subject of a suppression order—was charged with serious offences. He had an official position in the Liberal Party but did not stand aside while those matters were being dealt with in the court.

*Members interjecting:*

**The Hon. C.J. SUMNER:** Well, he had an official position, as I understand it.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.J. SUMNER:** The position simply is as I have outlined it: the question of conflict of interest has been addressed. There is no doubt that if Mr Faris has, during the course of any inquiries, any concerns about my position or indeed my propriety in relation to any matter then obviously he is also to report to the Premier, and the Premier can take the appropriate action. However, it would be quite preposterous—I repeat, quite preposterous—for a public official such as the Attorney-General to have to stand aside in these circumstances, particularly when the call for me to stand aside is apparently now coming from the very Party and the very people who were responsible in large part for the perpetration of the allegations in October and November 1988, and indeed before that.

**The Hon. K.T. Griffin:** That is nonsense.

**The Hon. C.J. SUMNER:** It is not nonsense.

**The Hon. K.T. Griffin:** It is nonsense.

**The Hon. C.J. SUMNER:** You can ask any member of the press corps—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.J. SUMNER:**—what the truth was about that matter. There is no doubt that Mr Olsen's office and other members of the Liberal Party were peddling information and making allegations that I was corrupt—

*Members interjecting:*

**The Hon. C.J. SUMNER:** Well, I am sorry; you certainly implied, and the innuendo was very strong, that I was corrupt and somehow or other involved improperly in relation to one Malvaso. You know that is what you were up to. You have created the situation in which I find myself, at least in part.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.J. SUMNER:** To then turn around and say that I should resign is, as I said, preposterous.

#### MINISTERIAL STATEMENT: WEST BEACH TRUST

**The Hon. ANNE LEVY (Minister of Local Government):** I seek leave to make a statement concerning the West Beach Trust and Zhen Yun.

Leave granted.

**The Hon. ANNE LEVY:** During the last session of Parliament, several questions were directed to me concerning the lease between the West Beach Trust and Zhen Yun Australia Hotels Pty Ltd. I informed members that the registration of the lease had been delayed by difficulties associated with the prior surrender of the lease between the West Beach Trust and Tribond Developments Pty Ltd,

caused by the inability of the lessee to locate and produce his copy of the lease. It was finally located in the office of the lessee's solicitor, thus enabling the surrender to proceed followed by the registration of the Zhen Yun lease. This occurred last November. As members would know, the lease, having now been registered, is available to any member of the public for the payment of a very small fee. At my request, the West Beach Trust has provided me with a copy of that lease so that I may lay it on the table. I now seek leave to table it for the information of all members.

Leave granted.

**The Hon. ANNE LEVY:** Members may also be interested to know that, following recent media criticisms of the trust, I met with the board on 10 January 1990 and engaged in a full and frank discussion of the allegations levelled in the media against both the trust and its members. I am pleased to be able to inform the Council that all the members contributed to the discussion and provided me with satisfactory answers to the questions I raised.

As a result of that discussion, I can assure the Council that I am satisfied that no reasons exist for the trust to be investigated, and as the Minister responsible for the trust I have every confidence in both the trust and each and every one of its members.

#### NATIONAL CRIME AUTHORITY

**The Hon. R.I. LUCAS:** I seek leave to make a brief explanation before asking the Attorney-General a question about Operation Ark.

Leave granted.

**The Hon. R.I. LUCAS:** The public first became aware in April last year of questions being asked in official quarters about certain matters arising from Operation Noah. A report in the *News* on 10 April last year stated that a major row was brewing between the NCA and the South Australian Police because the authority had learnt only through the media that police officers had been named by Operation Noah informants.

On the ABC *7.30 Report* on Monday of this week (5 February), the Attorney-General revealed that he had become aware in May last year of the NCA's investigation of this matter. He further revealed that in December last year he had received the official NCA report of its investigation and was also officially advised of what he called 'earlier documents' compiled by the NCA. One of these so-called 'earlier documents' was a 139 page report completed by June last year while Mr Justice Stewart was still head of the NCA.

However, there is confusion about when Mr Sumner became aware of the 139 page report because on 31 January (five days earlier than the press conference of 5 February) Mr Sumner said:

It became clear that there was a second document when Mr Menzies (of Channel 9) asked me about it. I acceded to the suggestion there was and I have requested it at the first available opportunity, which was yesterday morning (the 30th).

The *7.30 Report* stated that in June last year a letter of transmittal had been prepared to be sent by Mr Justice Stewart to the Attorney-General, indicating that an Operation Ark report had been completed. However, according to the *7.30 Report*, and confirmed by some of the documents tabled today, this letter was withheld and the report shelved.

Notwithstanding the ongoing public debate about alleged police and other official corruption, and the Government's claims that it was being tough and diligent in its response, the Attorney-General took no immediate action to obtain a copy of Mr Justice Stewart's report about Operation Ark. While the Attorney-General has admitted he knew this report existed in December, he did not, according to his press

release of later that day, officially seek from the NCA a copy of this first Stewart report until 30 January this year. This was not only more than a month after the Attorney-General knew the report existed about possibly serious allegations involving the police but also more than seven months after the report's completion, more than eight months after the Attorney-General became aware of the Operation Ark investigations, and more than nine months after the public first became aware of concerns in official quarters about Operation Noah.

My questions to the Attorney-General are as follows: First, what is the explanation for the conflicting statements of his of 31 January and 5 February as to when the Attorney-General first became aware of the first Stewart report? Secondly, when did the South Australian Government first become aware that a 139 page report on Operation Ark had been completed by Mr Justice Stewart while he was head of the authority, and who transmitted that information to the Government? Thirdly, how can the Attorney-General explain away his apparent neglect of duty in not requesting a copy of this first Stewart report from the NCA until 30 January, at least one month after the Attorney-General first said that he was aware of the report?

**The Hon. C.J. SUMNER:** Most of those questions are answered in the ministerial statement I have already provided to the Council. Furthermore, I have given almost two hours of media time—open press conferences—on this topic during the past couple of weeks. The situation is that the official report of the National Crime Authority—that is, the Faris authority—as presently constituted, was received in December last year.

I further indicated in December, before the report was received, that Mr Faris had advised me that the report did not make any findings of dishonesty or corruption in relation to the reporting of Operation Noah allegations within the South Australian Police Department. That is when I received the Operation Ark report. The NCA has made it quite clear—and it is clear in the documents that I tabled today—that the earlier document, which was prepared when Mr Justice Stewart was Chairman, was not in fact the report of the National Crime Authority.

**The Hon. R. I. Lucas:** That's not Justice Stewart's view.

**The Hon. C.J. SUMNER:** That has now become clear as a result of what Justice Stewart has said and again in the documents I have tabled in the Council today. However, what I do have to emphasise is that there is obviously a difference of opinion and difference of view on this matter within the NCA itself. The bottom line, however, no matter which way one looks at it, is that there was no corruption or dishonesty found in relation to the reporting of the Operation Noah allegations in 1989.

As I have said before at press conferences and in my ministerial statement, the Government cannot be in a position of second guessing a body like the NCA. We have to deal with the authority as presently constituted and that is what we have done. I became aware of an earlier document in December. I made no secret of the fact that there may have been earlier documents. When Mr Menzies of channel 9 approached me about the matter, I said to him that there was an earlier document and then subsequently I sought the document and made its conclusions public. The existence of a document relating to Operation Ark was not officially known to the Government until December 1989.

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

**The Hon. C.J. SUMNER:** The Government, in a situation like that, is in an extremely difficult situation. The honourable member interjected, 'Why didn't you request it?' As I said at the press conference, I am not sure what the Government is supposed to do when it requests it—it

has two reports. Is the Government to toss a coin and decide which one it will accept or not? The Government has to deal with the NCA as presently constituted. That is the authority chaired by Mr Faris, QC and that is what the Government has done.

The material I have tabled in Parliament today has indicated what the circumstances were in relation to the so-called two reports. Mr Faris indicated that there was an earlier document. He has indicated that it was not a report of the authority officially to the Government. He has made that clear from the moment he transmitted the official report. So I am not sure what additional information I can provide to the Council about the matter.

There is clearly a difference of opinion between the two authorities and, frankly, the reasons for that difference of opinion are matters that will have to be addressed by the authority itself; or will have to be addressed by the inter-governmental committee; or will have to be addressed by the joint parliamentary committee overseeing the NCA.

**The Hon. DIANA LAIDLAW:** Following the revelation in the latest annual report of the NCA that the authority now provides quarterly operational reports to the inter-governmental committee, of which the Attorney-General is a member, did any of those quarterly reports during 1989 provide any evidence or information about the Operation Ark investigation, and/or the investigations into the allegations relating to Mr Sumner, and, if so, what was the nature of that information?

**The Hon. C.J. SUMNER:** I do not believe so, but I will check and provide an answer for the honourable member.

**The Hon. I. GILFILLAN:** I seek leave to make a brief explanation before asking the Attorney-General a question about the NCA.

Leave granted.

**The Hon. I. GILFILLAN:** I congratulate the Attorney on making this material available to the Council as expeditiously as he has and indicate that it is unfortunate that we have not had enough time to study its contents to really analyse it. I refer to some of the comparisons between the two letters before asking the Attorney-General some questions relating to the NCA which I regard as far more important than whether the Attorney himself would have had access to certain documents last year rather than a few months earlier, as apparently he is claimed to have had. From the documents, it is an inevitable conclusion that we have an extraordinary conflict and difference of opinion between the two heads of the NCA Australia-wide. The current holder of that office, in a letter which the Attorney has tabled, speaks of the report which was prepared by the previous head of the authority. He raises some doubt whether it was a report. He says they considered the proposed report and decided that it should not be delivered as a report of the authority. Mr Le Grand dissented. He was the only continuing member of the previous NCA to still be present, and let it be clearly understood that he dissented and continued to dissent. At page 3, the report states:

The most significant matters in the proposed report, which were rejected completely by the authority (Mr Le Grand dissenting), were findings 15-17 . . .

In this letter there are detailed criticisms of the report. It is almost like a schoolteacher's criticism of a student's homework. At page 2 it states:

- (a) [the report] dealt unfairly with a number of police officers;
- (b) did not make any sufficient findings of fact;
- (c) had conclusions and recommendations that were often not supported by the evidence;
- (d) failed to accord natural justice to the persons it criticised;

(e) had a style of authorship that was offensive and sarcastic towards persons and lacked objectivity;

and

(f) did not appear to apply the proper standard of proof.

If we believe this letter, the earlier form of the NCA was incompetent and should never have had the authority and responsibility in providing reports. This particular current head of the NCA writes them off as being incompetent, unreliable, sarcastic and offensive.

**The PRESIDENT:** The explanation is getting to the point of debate. I ask the honourable member to confine himself to the report.

**The Hon. I. GILFILLAN:** With due respect, I am quoting from the letters which the Attorney-General tabled. On page 2 of the letter of the previous incumbent Chairman of the NCA those points are dealt with. In summary it rejects the assertions in (a) to (e). It completely repudiates claims made by the current head of the NCA in (f). How the Attorney can then, in his ministerial statement, encourage us to have confidence in the NCA as the body on which we can rely to uncover reliably criminal activity and corruption in South Australia, defies my imagination. At page 4 of his statement the Attorney-General stated:

While there may be understandable concerns—

What a masterpiece of understatement when the two authorities cannot agree, and in fact fight publicly on the approach to the delivery of the report, its contents and what should be done with it. In his letter the previous Chairman stated that it was a report. He states:

The document which Mr Faris describes as 'certain internal documents' and 'the proposed report' is in fact a report of the authority pursuant to section 59 (5) of the National Crime Authority Act. It was prepared by Mr Le Grand and myself on behalf of the authority and duly authorised for transmittal to the South Australian Government by Messrs Robberds QC, Le Grand and myself.

It was a report and it is still a report. What will happen? What faith does the Attorney expect us to have in the NCA if it can change its Chairman next week? We could have another batch of reports.

Does not the Attorney agree with me that we are now currently in the farcical situation of not knowing which model of the NCA we have so that we cannot predict what type of report it will deliver? Therefore, it remains totally inadequate as the reliable long term authority to assess corruption and criminal activity in South Australia. As a matter of urgency, will the Attorney-General set up an independent judicial inquiry in South Australia to look at this matter and, in due course, establish an independent commission based on the legislation which I have previously introduced?

**The Hon. C.J. SUMNER:** I have previously dealt with the question of a permanent independent commission against corruption and so has the Council, which rejected the setting up of such an organisation for, I would suggest, the reasons I outlined in my response when the honourable member introduced his Bill. What we do have in South Australia is the National Crime Authority. We also have an Anti-Corruption Branch within the South Australian Police Force which is overseen by Mr Andrew Wells QC, who is a former Justice of the Supreme Court. He is the auditor of the Anti-Corruption Branch as was indicated when the branch was established.

**The Hon. I. Gilfillan:** Whom does he report to?

**The Hon. C.J. SUMNER:** The Government.

**The Hon. I. Gilfillan:** Great!

**The Hon. C.J. SUMNER:** The honourable member says 'great'. I actually happen to believe in democracy and responsible Government. I also believe that Ministers have a role to play in being responsible for the actions of law

enforcement agencies. Apparently, the honourable member does not believe that. That is for him to consider and one can have that philosophical difference, but I indicate that the Anti-Corruption Branch was established with an independent auditor.

Furthermore, an Internal Investigations Branch within the Police Force works in conjunction with the Police Complaints Authority. The National Crime Authority has an establishment of 41 at a cost of over \$3.5 million. If one adds to that figure of 41 the Police Complaints Authority, the Internal Investigations Branch and the Anti-Corruption Branch one obtains a total of over 70 people. Those employees are not all involved in investigating police corruption or police misbehaviour, but a substantial number of that 70 are engaged in that task, so there is a substantial commitment to dealing with this issue in South Australia. That has been the course that the Government has adopted to date.

I have already indicated in my ministerial statement that, during this session, the Government will provide to the Parliament a statement as to the activities of the NCA in South Australia in the past 12 months and, when members have that information, I suggest that there will be a more opportune time to discuss the issues, because members will have the benefit of the information that the Government will provide on the topic.

I also indicated in my ministerial statement, which dealt substantially with the question of Operation Ark, that a number of other issues relating to the NCA had been raised in the past two weeks, some of which have been dealt with during Question Time today and which the Government may wish to examine and comment upon next week.

That is the current position. The authority is here; it has ongoing inquiries which it should be able to continue to pursue. I think it would be quite disruptive for an independent or royal commission at this stage to take over the whole of the NCA's operations. If the NCA were thrown out and an independent commission set up, all the work that the NCA is doing and the whole structure would be thrown aside, so I believe that for the time being we must continue with the NCA.

In due course, when the information is placed before Parliament, perhaps Parliament can again debate the question of an independent commission against corruption, as proposed by Mr Gilfillan, or some other proposal and could examine whether the structure of the Anti-Corruption Branch is satisfactory and whether that should be modelled differently. At the moment those resources I have mentioned are being put into this issue and they are substantial resources, which indicate a firm commitment to deal with this issue in South Australia. That does not mean that at some time in the future the Government may not wish to consider other options, but I do not think that it would be useful in the fight against crime and corruption to get rid of the NCA and set up an independent judicial inquiry, as the Hon. Mr Gilfillan seems to suggest. If that were to occur I believe that problems would occur with on-going investigations.

#### ELECTORAL HYPOCRISY

**The Hon. T. CROTHERS:** I seek leave to make a brief explanation before asking the Leader of the Government in this place a question about electoral hypocrisy.

Leave granted.

**The Hon. T. CROTHERS:** Back in the days of 9 and 10 January 1988 a pamphlet was distributed, in the name of the Liberal Party, in letter boxes around the seat of Ade-

laide. Members will probably recall that at that time a by-election campaign was being fought to choose the successor to Mr Chris Hurford, who had previously announced his resignation from Federal politics. The pamphlet was headed in bold print 'Bad news' and concluded in equally bold print:

Imagine the cost to you of all this. Labor is wasting your money. Can you afford to let them get away with it?

That pamphlet also states:

Six months ago the people of Adelaide elected the Labor candidate, Mr Chris Hurford, as their MP for the next three years.

*The Hon. Diana Laidlaw interjecting:*

**The Hon. T. CROTHERS:** If you listen, Miss, you will find out about it. Do not let the fact that you are on the front bench go to your head. The pamphlet continues:

Cost of July 1987 election approximately \$165 000... on 6 February 1988 Labor's Mr Hurford will have retired and a by-election will be held costing \$170 000.

Members will recall that more recently, on 25 November 1989, Mr Olsen, the then State Leader of the Liberal Party, offered himself to the people of the electorate of Custance for a further four-year term. Following that election, he then sought and won re-election as Leader of the Liberal Party. He assured journalists at that time that he had offered himself for the leadership with the objective of serving the full four years. However, by an apparently incredible stroke of opportunism on the part of Mr Olsen, we now find that he is a backbencher in another place whose declared political aim is to replace the still serving South Australian Liberal, Senator, Tony Messner, who apparently indicated his early retirement, although it would now seem that he is having second thoughts about that option.

In the light of the foregoing, I now direct the following questions to the Leader of the Government in this place. First, what was the cost of the last State election? Secondly, what was the cost in Custance and what will be the cost of a by-election, if one is indeed to be held in that seat in the near future? Thirdly, does the Leader see any hypocrisy or any inconsistency in the position of the Liberal Party between now and when it put out its Federal by-election leaflet on 9 and 10 January, 1988? If he does, would he care to enlighten this Chamber about what it is? Fourthly, but not exhaustively, does the Leader believe that the whole of the matter reeks of political electoral opportunism and is typical of the South Australian Liberal Party's political track record, which it has been exhibiting in this Chamber and in another place over the past two years?

**The Hon. C.J. SUMNER:** There has always been a significant degree of hypocrisy and political opportunism in the attacks made on the Labor Party, and on Mr Hurford at the time of the Federal Adelaide by-election, because the occasions on which Federal Liberal members have resigned shortly after being elected to take diplomatic positions overseas are many. There have been many examples over the years of Liberal Governments, where members of the Liberal Party—former Ministers—have been re-elected to the Parliament and then, within a short time, retired to take Government or diplomatic positions. One that comes to mind—but there are many others—is Mr John McLeay, who resigned shortly after a Federal election and took a position as Consul-General for Australia in Los Angeles.

Apparently, that was quite satisfactory as far as the Liberal Party was concerned, but when Mr Hurford did the same thing, of course, it was an outrage and it was used during the campaign to replace him. The honourable member states the obvious that, yes, there was hypocrisy, but the hypocrisy was there before the Olsen incident came along. But it is enhanced by it of course, because within a

few weeks of Mr Olsen's being defeated as Premier in the State election—

**The Hon. R.I. Lucas:** He wasn't Premier.

**The Hon. C.J. SUMNER:** In his bid for Premier, if the members opposite want to be completely pedantic. Shortly after the election, he was again elected Leader of his Party in this State and a few weeks after that he resigned and sought a Federal position. Apparently, there is now some doubt about whether he will in fact take it up or, if he does, it may well be when certain other leadership positions have been resolved at the national level within the Liberal Party. It was common knowledge that Mr Olsen, when re-elected after the election, would be only a caretaker Leader and, having realised that, he jumped at the first opportunity and apparently will now become a Senator representing South Australia.

#### NATIONAL CRIME AUTHORITY

**The Hon. L.H. DAVIS:** I seek leave to make a brief explanation before asking the Attorney-General a question on the subject of Operation Ark.

Leave granted.

**The Hon. L.H. DAVIS:** At the meeting on 1 August last year between the Premier, the Attorney-General and the head of the authority, Mr Faris, was the progress of the Operation Ark investigation discussed and, in particular, did Mr Faris say that he was reviewing the report completed with Mr Justice Stewart as head of the authority and, if not, when did the South Australian Government first become aware of this review and what reasons were given for it?

**The Hon. C.J. SUMNER:** As I said, officially I was advised of the Operation Ark report by Mr Faris in December and that an earlier document, as Mr Faris referred to it, had been reviewed by the authority. I was not aware at the time of the changeover from the Stewart to the Faris authority that there was such a document, although I was aware, and had been advised by Mr Le Grand in May, that there was an operation within the National Crime Authority to look at the reporting of the Operation Noah allegations.

When I sought the round-up of reports from the authority on 30 November last year, I included a request for the report on Operation Ark. That request was made to the Chairman and since then the report of Operation Ark has been provided and, indeed, a number of other reports have been provided, to which I have already referred in my ministerial statement and which will be the subject of a further ministerial statement later during this session. I will take the specific questions that the honourable member has asked on notice and bring back a reply.

**The PRESIDENT:** Order! I just draw to the attention of the Chamber that we have had an hour of Question Time, taking into consideration the ministerial statements. It has been traditional on opening day to overrun by a few questions, and I would ask members to observe that tradition and not get into a lengthy period of Question Time after this.

#### VEGETATION CLEARANCE

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Forests, a question on vegetation clearance.

Leave granted.

**The Hon. M.J. ELLIOTT:** I have had a number of phone calls in the past couple of weeks, predominantly from hills residents, in relation to some land clearance. At first, I found it rather hard to believe what they were saying, but when the reports were persistent and when one member of the E&WS Department came and said that the department was getting a bit upset I thought I had better go and have a look. What I saw was 150 hectares of hills, of predominantly 30 to 40 degrees slope, which had been bulldozed to bare earth. Apparently, the land was originally pine plantations which were under the jurisdiction of the Woods and Forests Department and which had been burnt out in the 1983 fire. Subsequent to the fire there had been regeneration, and large numbers of eucalypts and wattles had grown there. Incidentally, one of the people who contacted me had stumbled onto it because there had been an unconfirmed sighting of a Brush-tailed Phascogale, which was believed to be extinct in South Australia.

There were trees which were then seven years old and, whilst admittedly there were some patches of blackberry, some weeds and some places where the pines were thick, there was a massive regeneration of native species. I have subsequently found that this clearance was done and funded under the National Afforestation Program. The Woods and Forests Department, which had evidently decided not to plant it under pines again—and I imagine that that is only because the growing of pines in the Adelaide Hills is not economic—was apparently setting about having an agro-forestry scheme as a demonstration for farmers as to how to do things. People I have spoken to, including foresters and agriculturists, have been united in one thing: they are absolutely appalled by what is happening and they would never suggest that that would be the sort of demonstration to give.

This land has been exposed to the weather from December. Apparently, the planting may not even happen until 1991, so it is open to a great deal of erosion, they have actually accelerated the erosion process because literally thousands of tonnes of soil has been pushed down the hills into the creeks, that go straight into the Kangaroo Creek dam.

This is not a question just of conservation of native trees. There was a chance for a massive regeneration in an area which really was not very good for anything else. It is a question not just of what looks nice but of defence of water quality. In fact, if we are trying to set examples for farmers, the Government should not be doing what farmers are not allowed to do. I have four questions. First, given that there is still a lot more land nearby with similar regrowth on it, can the Government give an assurance that this clearance will cease forthwith? Secondly, will the Government take the opportunity to allow the unwanted Woods and Forests Department land in the Hills to revert to bushland which will be valuable for conservation reasons and also to protect Adelaide's water quality, which most people admit is declining rapidly and causing massive expenditure on filtration? Thirdly, how does the Government defend the bulldozing of thousands of tonnes of top soil down into the creek beds and this baring of it to the elements? Finally, why is an agro-forestry project—which in fact is more important than agriculture and forestry—being carried out by the Woods and Forests Department, which has no knowledge in this area, rather than by the Department of Agriculture?

**The Hon. BARBARA WIESE:** I will refer the honourable member's questions to my colleague in another place and bring back a reply.

### NATIONAL CRIME AUTHORITY

**The Hon. J.C. IRWIN:** I direct my question to the Attorney-General. Before Mr M. Le Grand left his position as the NCA member with responsibility for the authority's investigations in South Australia, did he express to the South Australian Government any concern or dissatisfaction with the way in which the 139 page report on the Operation Ark investigation completed by Mr Justice Stewart had been handled by the authority?

**The Hon. C.J. SUMNER:** Not to me, Mr President.

### FINNISS SPRINGS PASTORAL LEASE

**The Hon. ANNE LEVY:** I would like to correct a reply given last September to a question asked by the Hon. Mr Elliott on 23 August.

**The PRESIDENT:** It is quite in order for that to be placed on the *Hansard* record.

**The Hon. ANNE LEVY:** On Wednesday 26 September 1989 the Hon. Mr Elliott received a response from me, representing the Minister of Lands, concerning the Finnis Springs pastoral lease. In that response I advised that the Arabana people had been given an assurance that they be provided with long-term tenures. I am now told that the specific reference to the Arabana people was technically incorrect in that, although the formal shareholders in the lease have connections with the Arabana community, the Marree Arabana People's Committee does not of itself have formal legal interest in the current tenure of this lease.

I further understand that the committee's concerns, as raised in correspondence with my colleague the Minister of Lands, have been that their rights of access to the land for traditional purposes not be diminished by any question of the ownership of the lease.

Of course, the Arabana people—indeed all Aboriginal people in this State—need have no fears about access to the pastoral lands. One of the tenets of the new Pastoral Land Management and Conservation Act is an absolute guarantee of rights of access for all Aborigines to pursue their traditional way of life.

### NATIONAL CRIME AUTHORITY

**The Hon. K.T. GRIFFIN:** I seek leave to make a brief explanation before asking the Attorney-General questions about conflicting statements.

Leave granted.

**The Hon. K.T. GRIFFIN:** On 1 February 1990 in the *News* there was a report by Robbie Brechin of an interview with the Attorney-General. The *News* in that story carried the following quote:

Mr Sumner said he was already at arm's length from the investigations into allegations by former escort agency owner Ms Patti Walkuski late in 1989 that he had used her services to obtain a prostitute. From the start, it had been agreed all matters relating to these investigations would be handled via the Premier's Department.

However, at the same time the Deputy Premier, Dr Hopgood, said on 5AN in an interview with Keith Conlon that the reporting arrangement via the Premier, rather than the Attorney-General, had only been arranged in August 1989. A statement by the Attorney-General earlier today suggests that that was correct. Obviously, from the *News* report of 1 February purporting to report the Attorney-General and the 5AN interview with the Deputy Premier, there is a clear conflict.

Can the Attorney-General explain the conflict and identify which of the two statements is correct? Will he also indicate why, when he advised the Premier that he had written to the National Crime Authority on 15 February 1989 seeking an investigation of allegations made about him, it was not until August—six months later—that arrangements were made to ensure that all reporting by the National Crime Authority to the Bannon Government in this investigation was to be to the Premier and not the Attorney-General?

**The Hon. C.J. SUMNER:** I cannot comment at this stage on what the honourable member says is a conflict of statements. I would need to peruse what the *News* said. What I can say is what I have already indicated, namely, that the formal reporting arrangements were put in place in August 1989. It is possible that Mr Brechin, where he says 'always', means from the moment that it became a matter of active consideration, which as far as I can recollect was only after Mr Faris QC took over the National Crime Authority and came to South Australia to discuss issues relating to the authority.

I suggest that honourable members read the letter of February 1989 before they comment further in this matter. If they read that letter they will see the context in which I referred matters to the National Crime Authority. Members will recall that during 1988 there were large numbers of allegations made by members of Parliament, in the press, about alleged corruption in South Australia by police officers and others. One of those allegations, which was the Masters report allegation, was that there were politicians, police officers, lawyers, etc. who were not being tough enough on corruption because they were blackmailed by brothel keepers.

My letter of February 1989 was to ensure that the attention of the National Crime Authority was alerted to all the matters that had been raised publicly and in the Parliament during 1989. The statement made of the Deputy Premier on 24 November 1988—when the reference was formally given by the intergovernmental committee—indicated that all the matters raised in 1988 would be examined, including the matters in the Masters report.

In so far as those matters relate to me—and it is interesting to note, of course, now that apparently Mr Masters denies that they relate to me—or to the Hon. Mr Griffin or the Hon. Mr Gilfillan, or to any other honourable member about whom the allegations have been made, it is clear that I wanted to ensure that all the matters relating to that particular allegation—and, indeed, all the allegations of 1988—were before the authority.

If honourable members have the letter—which has been widely distributed to the press, but I can certainly make copies available to them—they will see the context in which the matter was referred to the NCA. I did not want the Government, me, or any politician for that matter, to be put in a position where, at some time in the future, criticism could be made of the Government by people saying, 'You did not ensure that all the matters of 1989 were before the National Crime Authority.' My letter of February 1989 was to ensure that those matters were before the authority—including those that could be interpreted as referring to me. The reality is that it was not just the allegations in the Masters report that could have been interpreted as referring to me; members of the Liberal party made accusations relating to me and alleged connections with the Mafia. The Hon. Mr Griffin was very vigorous in his criticism of the Crown's arrangement that has been entered into with Mr Malvaso to ensure Moyse's conviction.

*Members interjecting:*

**The Hon. C.J. SUMNER:** You re-read your press releases. You were in a lather when the Malvaso decision first came down. You had a runner in the court, adopted the decision, beetled straight back here and away you went with your questions, which also contained a reasonable degree of innuendo that I acted improperly. It staggers me that members opposite seem to ignore all of the events of 1988 in relation to me. They seem to just forget that it ever happened; the fact that Mr Olsen told the *News* that the Liberal Party was targetting a top MP—

*Members interjecting:*

**The Hon. C.J. SUMNER:** So, you are denying that report.

**The Hon. K.T. Griffin:** You are paranoid.

**The Hon. C.J. SUMNER:** Olsen, the Liberal Party, whoever it is—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.J. SUMNER:** The honourable member can say what he likes; either the journalists or someone in the Liberal Party made it up. The reality is—and everyone knows—that the briefing of journalists and others about me was being done from Olsen's office. That is on the public record and certainly—

*Members interjecting:*

**The Hon. C.J. SUMNER:** That is right! By me, because I know.

*Members interjecting:*

**The Hon. C.J. SUMNER:** You only have to read any of the journalistic comments on this topic to see what occurred at that time. The fact is that Mr Olsen and Liberal Party members were targetting me; they were accusing me; they suggested that I had an improper relationship with Malvaso and that I had stayed in some village in Italy with a Mafia figure. All that is on the public record. It staggers me that members opposite were now apparently just blithely saying, 'That had nothing to do with us.' I do not know how we got into that situation in 1988 if it had nothing to do with them.

*Members interjecting:*

**The Hon. C.J. SUMNER:** Well, the *Sunday Mail* article—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.J. SUMNER:** So, the context in which I wrote the letter was to ensure that everything that had been raised during 1988 was before the authority, including the matters in the Masters report, allegations about me and the allegations in the *Sunday Mail*, so that there could never be any come back to the Government to say that it did not properly refer these matters or ensure that they were all before the National Crime Authority. In any event, they were referred to by the Deputy Premier in November 1988, when the reference was issued. My letter was to ensure that there could be no doubt that all the matters were properly before the authority.

### X-RATED VIDEOS

**The Hon. J.C. BURDETT:** I seek leave to make a brief explanation before asking the Attorney-General a question about X-rated movies.

Leave granted.

**The Hon. J.C. BURDETT:** So called X-rated movies are banned in South Australia and in all Australian States, but not in the Territories. In South Australia, the ban was an Opposition initiative which was eventually accepted by the Government. The pressure against pornographic videotapes

has mounted. The fact that, in an ordinary domestic situation, they are often available to children, for example, when the parents are out, and there is the facility for freezing frames in a particularly salacious situation has been part of the reason for this.

The problem is that X-rated videos have not been banned in the Territories and video porn has been available in the States on mail order, from the ACT in particular. X-rated videos are circulated all over Australia. They depict incest, multiple sex, torture, sexual abuse of children, bondage, discipline, adultery, puppet sex, homosexuality, voyeurism, obscene telephone calls, and women, children and men being used as sex objects. Videos showing people urinating on each other and in each other's mouth are freely available.

**The Hon. Anne Levy:** How do you know?

**The Hon. J.C. BURDETT:** To answer that question, I point out that one need only look at the advertisements in *People*. The provision from the ACT to residents of the States of this material, which is banned in the States, is massive. In 1982, according to a *National Times* article, the profits—not the gross sales—on a national basis amounted to \$130 million. There is certainly no evidence that the trade has lessened, and inflation alone would have increased that figure. Advertising of the availability in the States of X-rated videos occurs nationwide: for example, the *People* magazine of 12 December 1989 has 20 full pages of ads for porn videos, each showing a Canberra address.

In 1988, all six State Attorneys-General called for a ban on X-rated movies. The Commonwealth Attorney-General called on the Federal ALP caucus to support a ban, but it did not comply with that request. A member of the ACT Legislative Assembly intends on Wednesday of next week to introduce a Bill in that place to ban X-rated videos in the ACT, having the effect of making them unavailable for mail order to the States. Does the Attorney-General support the banning of X-rated movies in the ACT in accordance with the call by the Standing Committee of Attorneys-General?

**The Hon. C.J. SUMNER:** Yes, and that is the position taken by the South Australian Government on the ministerial committee relating to censorship. However, I will correct some of the statements made by the honourable member. Most of the actions described by him would not be permitted, legally at least, in X-rated videos. At present, X-rated videos are what might be called soft pornography. Some of the more bizarre actions that the honourable member described in his explanation have been banned for many years from importation and distribution in Australia, including distribution from the Australian Capital Territory and the Northern Territory. A classification system bans much of the material to which the honourable member referred. It may be circulating but, if it is, it is circulating illegally.

### CITY OF FLINDERS

**The Hon. J.C. IRWIN:** Will the Minister of Local Government allow the situation to continue in which council election procedures for the new city of Flinders have begun with the closing of the polls today, given that the Local Government Advisory Commission has not reported on the status of the new city of Flinders? Will she permit that election to be completed on 5 May if the commission has not reported by that date? Will the Minister inform Parliament and the people what steps she intends to take to stop this unsatisfactory and conflicting situation developing any further?

**The Hon. ANNE LEVY:** I am given to understand that I will receive in the very near future the report from the Local Government Advisory Commission relating to the proposal that I put before it on the boundaries of the Mitcham and Happy Valley councils. As I have indicated previously, I will make public the commission's recommendations when I receive the report. The commission is well aware of the time constraints relating to the elections for the city of Flinders, and I am assured that it has taken that into account in the preparation of its report on the proposal that I put to it.

### RUHE COLLECTION

**The Hon. DIANA LAIDLAW:** I seek leave to make a brief explanation before asking the Minister for the Arts a question in relation to the Ruhe Aboriginal collection.

Leave granted.

**The Hon. DIANA LAIDLAW:** It is now over six months since the former Liberal Leader (John Olsen) called for cooperative action from Government sources, Federal and State, and the corporate sector to help the South Australian Museum purchase the Ruhe collection of Aboriginal artefacts, the purchase price being about \$1 million.

**The Hon. T.G. Roberts:** To get some Federal money?

**The Hon. DIANA LAIDLAW:** Yes, being generous to students. Professor Ruhe's family in the United States are keen for the collection to be based in Adelaide and, in line with that preference, have resisted offers from Japan and the United States of some \$1.2 million, pending an indication that South Australia is able and willing to proceed with the purchase. I also note from recent articles in the *Advertiser* that the Curator of Social History in the Department of Anthropology at the Museum (Mr Phillip Jones) believes that there is an urgent need to raise funds locally because the Ruhe family could decide to sell the collection by next month.

Does the Minister agree that a decision relating to the purchase of the Ruhe collection for the South Australian Museum should be made promptly if this State is to avoid losing the opportunity to purchase the collection? Does the Government intend to contribute funds and, if so, what will the allocation be and when will such an announcement be made? Has the Minister received a reply to her letters of August last year to the Prime Minister and the Minister for the Arts seeking Federal assistance in the purchase of this collection?

**The Hon. ANNE LEVY:** I agree wholeheartedly with the comments made by the honourable member on the desirability of the Ruhe collection returning to Australia and Adelaide, if that is at all possible. I have not received a reply from my Federal colleague despite several promptings for an official response.

With regard to strategies within South Australia, I am sure that the honourable member would be aware that the Museum Board has organised for Phillip Styles to prepare strategies and tactics which could perhaps be investigated to obtain the Ruhe collection for South Australia. I understand that this preparation by Phillip Styles will contain several options for perusal, and it is certainly my intention

upon receiving it to prepare a submission to Cabinet on the matter.

**The Hon. DIANA LAIDLAW:** As a supplementary question, can the Minister advise how much longer she believes the Ruhe family will remain patient waiting, as it has done for about six months already, pending a reply that the South Australian Museum is able and willing to purchase the collection, before it decides to accept some other offer outside Australia?

**The Hon. ANNE LEVY:** I have had no contact whatsoever with the Ruhe family myself. Whilst I have been told that the matter is urgent, it is not of extreme urgency. However, the information I have received is at least third hand and I would not like to vouch for its accuracy, not having been in contact with the Ruhe family myself.

### SESSIONAL COMMITTEES

Sessional committees were appointed as follows:

Standing Orders: The President and the Hons K.T. Griffin, R.I. Lucas, Carolyn Pickles and C.J. Sumner.

Printing: The Hons Peter Dunn, M.S. Feleppa, R.J. Ritson, R.R. Roberts and T.G. Roberts.

**The Hon. C.J. SUMNER: (Attorney-General):** I move: That for this session a library committee not be appointed.

Motion carried.

### JOINT PARLIAMENTARY SERVICE COMMITTEE

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

That pursuant to section 5 of the Parliamentary Joint Services Act 1985, the Hons T. Crothers and J.C. Irwin be appointed to act with the Hon. the President as members of the Joint Parliamentary Services Committee, and the Hon. Carolyn Pickles be appointed the alternate member of the committee to the President, the Hon. G. Weatherill the alternate member to the Hon. T. Crothers, and the Hon. M.B. Cameron the alternate member to the Hon. J.C. Irwin.

Motion carried.

### ADDRESS IN REPLY

**The PRESIDENT** having laid on the table a copy of the Governor's speech, the Hon. C.J. Sumner (Attorney-General) moved:

That a committee consisting of the Hons Diana Laidlaw, R.I. Lucas, T.G. Roberts, G. Weatherill and C.J. Sumner be appointed to prepare a draft Address in Reply to the speech delivered this day by His Excellency the Governor and to report on the next day of sitting.

Motion carried.

### ADJOURNMENT

At 4.49 p.m. the Council adjourned until Tuesday 13 February at 2.15 p.m.