LEGISLATIVE COUNCIL

Tuesday 7 August 1990

The PRESIDENT (Hon. G.L. Bruce) took the Chair at 2.15 p.m. and read prayers.

PAPERS TABLED

The following papers were laid on the table:

By the Minister of Tourism, for the Attorney-General (Hon. C.J. Sumner)—

Australian Formula One Grand Prix Board—Report, 1989.

Marine Act 1936—Regulations—Survey fees.

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

Apiaries Act 1931—Regulations—Registration fees.

Fisheries Act 1982—Regulations—Commercial fishery licence fees.

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

Planning Act 1982—Regulations—Watercourse zone; Historic zone.

District Council of Millicent—By-law No. 2—Taxi Repeal.

MINISTERIAL STATEMENT: STIRLING DISTRICT COUNCIL

The Hon. ANNE LEVY (Minister of Local Government): I seek leave to make a statement.

Leave granted.

The Hon. ANNE LEVY: Members will recall that last Thursday I tabled the report of the investigator into the affairs of the Stirling District Council, and outlined the circumstances that preceded the suspension of Stirling council's elected members. Mr President, I am now in a position to inform the Parliament that I intend to make a recommendation to the Governor that the suspended elected members be restored to office on 31 August 1990.

Mr Ross's achievements have been truly commendable. In seven short weeks, Mr Ross has not only resolved those legal and financial issues that were at the root of Stirling council's conflict with the State Government but also he has brought down a budget for 1990-91 that provides proof positive that Stirling residents will not be faced with unreasonable rate levels. Mr Ross has limited rate increases for this year to an average of 8.5 per cent—an amount in line with CPI—whilst still making provision for not only the maintenance of existing service levels, but indeed also substantial improvements in the areas of road construction and council administration.

At the same time, Mr President, Mr Ross has been able to allay substantially the concerns of Stirling residents and has made great progress towards healing the divisions within the community. I draw this conclusion from public comments and letters that are increasingly in support of Mr Ross and his efforts. In addition, Mr Ross has made very substantial progress in a range of matters which will assist the Stirling District Council in its important task of managing the affairs of the district.

His job is now substantially completed and he can relinquish his duties as administrator in the knowledge that he has made a tremendous contribution to the resolution of this long-standing dispute between the council and the State Government. I place on the public record my sincere appreciation for his efforts and my admiration for the dignity which he has shown under conditions that were, at times, very difficult indeed.

Stirling residents—and the elected members of the Stirling council—can take great comfort from the budget for 1990-91. It demonstrates that the fears of enormous rate increases were unfounded and proves that normal services can be maintained, and even improved, within the present rating effort. I regret, Mr President, that it was not possible to avoid the suspension of elected members in order to bring this matter—after 10 years—to what I hope will at last be a conclusion.

I also place on record at this time, in the knowledge that this matter may have had even more unhappy consequences had it not been for the generous help of the entire local government community in South Australia, a vote of thanks to the Local Government Association and all its member councils for their direct contribution of $1.5 million from council funds. Further, Stirling's loan of $4 million, which is the limit of Stirling's contribution to damages payments which may total nearly $15 million, has been provided by the Local Government Finance Authority. The authority has also offered to assist Stirling in other financial transactions to help Stirling maximise financial flexibility. In short, the local government community as a whole has cooperated strongly with the State Government in putting together a financial assistance package for Stirling that ensures reasonable rates and the maintenance of acceptable services within the Stirling area.

The budget outcome for last year, and the budget which Mr Ross brought down for 1990-91, show that the Government's offer has been entirely appropriate and that the doomsday predictions were unnecessarily pessimistic. The days ahead will pose a strong challenge to the Stirling councillors. The community has been divided and confused by the long dispute about what level of financial assistance could reasonably be expected by Stirling. It will be up to Stirling's elected members to resume their position of leadership and to work constructively in continuing the process of healing the rift within their community, In this endeavour the State Government and, I am sure, the wider local government community stand ready to assist.

JUSTICE INFORMATION SYSTEM

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

Leave granted.

The Hon. K.T. GRIFFIN: Members will be aware of the debacle over the new computer installed in the Motor Registration Division which did not have sufficient capacity to do the job required of it, even though it had been developed over several years. The Government got itself out of that embarrassing mess by transferring a computer from the Justice Information System to the Motor Registration Division and delivering the inadequate Motor Registration Division computer to the Justice Information System. While that may have helped the Motor Registration Division, all the information available indicates that the Justice Information System could experience problems because it no longer has a suitable back-up computer if its remaining computer breaks down.

In addition, substantial costs were involved in the changeover, including the loading of software and data into both systems and the costs of the transfers. There is a suggestion also that the already delayed Justice Information System will be further delayed. My questions to the Attorney-General are:

1. Was the Attorney-General, as Minister responsible for the Justice Information System, consulted about the transfer of the JIS computer to the Motor Registration Division?

2. If so, did he approve the transfer and, if not, has he since received a report on the impact of that transfer?

3. In any event, what delays to the implementation of the Justice Information System will result from the transfer of its computer and what are the additional costs to the Justice Information System of this operation?

The Hon. C.J. SUMNER: I do not know of any delays that will be encountered by the Justice Information System because of the assistance that it has given to the Motor Registration Division. The assistance was provided by the JIS and I was advised that this was occurring at some point in the proceedings. The most recent briefing given to me on the JIS indicates that the revamped proposal, which was made public last year in the new budgets set for it, is being complied with.

That was the information provided to me by the Chairman of the board of management of the JIS and its current Director. So, as far as I am aware, the assistance was made available to the Motor Registration Division but without any detriment to the continuation or budget projections for the JIS.

The Hon. K.T. GRIFFIN: As a supplementary question: is the Attorney-General able to indicate the extent of any additional costs incurred by the JIS as a result of this operation?

The Hon. C.J. SUMNER: I do not know whether any additional costs were incurred by the JIS. If there were any, I assume they would have been cross-charged to the Motor Registration Division, as it was to them that the assistance was being provided. However, I will check that question and, if necessary, provide a further answer to the honourable member.

SOUTH AUSTRALIAN FILM FINANCING ADVISORY COMMITTEE

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the South Australian Film Financing Advisory Committee.

Leave granted.

The Hon. DIANA LAIDLAW: The South Australian Film Financing Advisory Committee (otherwise known as SAFIAC) administers the State Film and Television Financing Fund. The fund aims to support independent local producers and script writers with grants from an annual allocation of $750 000. Over a number of years, doubts have been expressed about the operation of SAFIAC and the allocation of grants from the fund.

In 1988, for instance, the review of the South Australian Film Corporation conducted by Ms Sue Milliken recommended that the SAFIAC committee, comprising a majority of union representatives, be reconstituted to comprise practitioners of the various film crafts with proven creative skills. Ms Milliken also expressed concern about the funding allocations, particularly in the script area, noting '. . . there seems to be little point in winding up with a room full of first draft scripts which are either unproducible or withering for lack of somewhere to go.' She recommended a new creative direction for the fund.

The Government has not yet released the Milliken report, nor has it chosen to act on the above recommendations. Nevertheless, last year a further review of SAFIAC was conducted. But, as with the Milliken report, the Government has again refused to release the findings, let alone act on them. Meanwhile, independent film producers in South Australia continue to be frustrated by the Government's lack of resolve to address recommendations for necessary changes to SAFIAC or to grapple with questions related to conflict of interest.

For instance, I have been advised recently that the current Chairman of SAFIAC, Mr Rob George, recently received a grant of $200 000 towards the production of a mini-series, and that the current Project Officer and employee of the Department for the Arts, Ms Annie Browning, is also a partner in the company Maylands Productions. Maylands Productions does not have an active record in film production, having produced only one documentary to date and no feature film, yet in recent years Maylands Productions has been the successful recipient of script development grants amounting to between $50 000 and $70 000.

Also, I am advised that Ms Browning received a further grant in 1988 ($20 000, which was split with Mr Rowen from the South Australian Film Corporation) to travel to a film expo in the United States to represent South Australian film producers. My questions to the Minister are:

1. What conflict of interest provisions, if any, apply to the operations of SAFIAC?

2. Is she confident that neither the members of SAFIAC nor the Project Officer have misused their positions of responsibility to receive favoured treatment in the allocation of funds?

3. Will she release both the Milliken report and the report conducted last year into the operations of SAFIAC and, if not, why not?

4. Will the Minister provide the Parliament with the guidelines for the operation of SAFIAC, as that committee's decision to provide some $190 000, as I recall, to the production of *Ultraman* has caused concern amongst local film producers, because they understood that SAFIAC was operated on the basis of supporting local film producers rather than underwriting foreign productions?

The Hon. ANNE LEVY: Regarding, first, the conflict of interest question raised by the honourable member, I am quite sure that anyone who is involved with SAFIAC, as with any other arts advisory committee, would not take part in any discussions or vote on any matter which concerned themselves. I would certainly expect that to occur, as it does with many of our arts advisory committees.

I am sure that the honourable member would be aware that there are a large number of arts advisory committees and that they have been set up with the idea of peer review, so that it is active practitioners who are part of many of these advisory committees, and groups with which they are associated may well apply for funding from the Government. It is understood that, in all of those situations, people who are in any way involved or who could have a conflict of interest will not take part in any discussions or vote on any application which relates to themselves.

The report on SAFIAC reached my desk only a couple of days ago and I have not yet had a chance to peruse it. Whether or not it will be released is not a decision that I can take at this stage. Obviously, I will want to read and consider its content before making any such decision.

The Hon. Diana Laidlaw: If it is embarrassing, you won't release it.

The Hon. ANNE LEVY: I think it is slightly premature to suggest that anyone would release a report before they have even had a chance to read it.

Members interjecting:

The PRESIDENT: Order! The honourable Minister has the floor.

The Hon. Diana Laidlaw interjecting:

The Hon. ANNE LEVY: I am not saying that at all. What I am saying is that I have received the report. It is not a report that came to me last year; it came to me a matter of a few days ago and I have not yet had a chance to read it. When the Government has commissioned a report it seems to me to be perfectly natural that we should expect to have the time to read it before making any comment on it.

The Hon. Diana Laidlaw: Are you still reading the Milliken report? Is that why you couldn't release that?

The PRESIDENT: Order! The honourable Minister has the floor.

The Hon. R.J. Ritson interjecting:

The PRESIDENT: Order! The honourable Minister.

The Hon. ANNE LEVY: With regard to the Milliken report, I am not the Minister who commissioned that report or received it and I do not wish in any way to disturb the decisions that were made as a result of that report by the then Minister.

Members interjecting:

The PRESIDENT: Order! The Council will come to order. The honourable Minister has the floor.

The Hon. ANNE LEVY: Thank you, Mr President. Obviously, there are members opposite who are quite unaware of what has been occurring. The Milliken report made a number of recommendations, many of which have already been implemented.

I instance, without having documents before me, that one of the main recommendations of the Milliken report was that experienced film producers should be appointed to the board of the Film Corporation. I have this year appointed—

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: I have this year appointed two film producers to the board of the Film Corporation, one of them, Mr Scott Hicks, last month, and the other, Miss Jane Scott, in March. This is very much in line with the recommendations of the Milliken report. I do not take kindly to the Hon. Ms Laidlaw suggesting that I implemented one of the recommendations of the Milliken report only last month, when I have been endeavouring to implement recommendations from that report much earlier than that.

The Hon. DIANA LAIDLAW: Supplementary to that, the Minister has not seen fit to answer my question about the guidelines for the operation of the committee which I suggested earlier was of some concern to film producers because of the decision to fund, in part, the production of *Ultraman*. Will the Minister elaborate further the part of her answer in which she indicated that people on arts committees understood that they were not to participate in discussions or vote on the allocation of funds? What does she mean by 'understood'? Are there any conflict of interest guidelines which apply in such matters?

The Hon. ANNE LEVY: I am sorry; I overlooked the part of the member's question regarding the SAFIAC guidelines. Certainly the grant to *Ultraman* was considered very carefully by SAFIAC in that it did not fully comply with the normal guidelines under which SAFIAC operates. SAFIAC, quite independently, decided to support the application regarding *Ultraman*, taking into consideration the vast influence that the production of *Ultraman* would have on employment for people involved in the film industry as a result of that production. There is no doubt that the production of *Ultraman* involved considerable employment and was very much welcomed by all those who are involved in the film industry because of the employment that it generated throughout the industry.

I have not personally seen any conflict of interest guidelines for other committees, but I have always understood that it has been made perfectly clear that people do not take part in any discussions in which they could have a personal conflict of interest. I have discussed this with a number of members of different advisory committees who have often raised the topic to indicate that they had not taken part in or had anything to do with any applications in which they were in any way involved.

USED MOTOR VEHICLES

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Minister of Small Business a question about the used motor vehicle industry.

Leave granted.

The Hon. L.H. DAVIS: I have been alarmed to discover over the past fortnight that the secondhand car and truck market in South Australia is in a state of collapse. Dozens of used car yards in the metropolitan area and country areas of South Australia have closed, and there has been a dramatic fall of up to 50 per cent in used car prices since just the beginning of 1989, little more than 18 months ago.

The Hon. R.R. Roberts interjecting:

The Hon. L.H. DAVIS: I would have thought that the Hon. Mr Roberts might appreciate that this serious matter might particularly affect the area he comes from. This collapse has been across the board, not only in relation to luxury cars, but also in relation to the family vehicle and those at the cheap end of the market. Industry sources with whom I have spoken claim that high interest rates, a growing number of repossessed cars, the weak economy and a lack of consumer confidence have contributed to this collapse. Many small businesses run by families, faced with a negative cash flow, have been forced to sell their second cars and, indeed, there are many people who have been forced to sell their first car. It is not uncommon to find that a used car worth, say, $14 000 at the beginning of 1989 may now be worth only $7 000, and the hapless owner, often a forced seller, may still owe $11 000 on the original purchase of $14 000. In other words, they are a loser either way. They cannot afford to keep up the monthly finance payments on the car, nor will they be in a position to fund a $3 000 or $4 000 deficit, which is typical, as illustrated in that example I have just given.

I have spoken to Mr Bill Hann, the Managing Director of Kearns Auctions. He auctions about 100 used vehicles each week, and he confirmed that he has trouble explaining to vendors of cars how little they are getting for their cars. Often, not unreasonably, they expect $3 000 or $4 000 more than vehicles are currently attracting at auction. These auctions are clearly interpreting the dramatic downturn in the used car market. Industry sources expect a further 10 to 15 per cent weakening in used car prices before the end of 1990. The increasing discounting of new cars in recent weeks is also evidence of an industry in deep trouble.

Finally, the slowdown in the economy has been reflected in the very sharp fall-off in the movement of goods interstate and intrastate. So, big rigs worth hundreds of thousands of dollars are suddenly being put out of work and the owners and people in the transport industry face particular financial distress at this time.

My question to the Minister of Small Business is as follows: is the Bannon Government aware of the collapse in this important sector of the economy, employing thousands of people; does it accept my interpretation of this downturn; and what has it done, either as a Government

or in conjunction with the Federal Government, to take steps to remedy this very grave economic situation?

The Hon. BARBARA WIESE: I do not think it is any secret that there is a downturn in the economy in Australia, and I would not expect that South Australia could anticipate being insulated from the effects of a downturn in the economy nationally. However, it is interesting to note with respect to the motor vehicle industry that, during the course of a period from about December 1986 to the end of December 1989, there was in fact a steady increase in the number of new motor vehicle registrations in South Australia, and that is a matter about which most people in the industry would feel very pleased, since it followed a period of quite considerable slump in activity over the previous couple of years.

The period of growth in that industry is to be applauded. I think that it is also the case that, to this time, the South Australian economy is much better off than most parts of Australia in the current economic downturn, as evidenced by the fact that we have recently had a lower rate of inflation than have other States. Further, our growth in employment has been very heartening as has been the reduction in unemployment. In particular, the rate of teenage unemployment in the past few years has decreased significantly. There has also been growth in the manufacturing sector, in the tourism industry, and in various other parts of our economy. In that sense, South Australia is in a much stronger position than one would expect to find in other parts of Australia.

If there is now an emerging trend in the used car business that demonstrates a downturn, then I guess that reflects the changing consumer confidence and other things that are starting to emerge in this country at the moment. The Government is continuing to pursue a series of policies that are designed to create an economy in this State that will see the continued growth in jobs and in industry, as has been evidenced during the 1980s. We hope that the benefits of the improvement in the economy and industry that have emerged during the course of the past few years will cushion people during this difficult period and flow through to some sectors that otherwise would be hit much harder during the course of a downturn.

SOUTH-EAST RAIL SERVICES

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister representing the Minister of Transport a question about rail services to the South-East.

Leave granted.

The Hon. M.J. ELLIOTT: There has been a great deal of publicity recently about the winding back of rail passenger services to Mount Gambier. In fact, I raised this question during the last session—on 5 April—and received a reply from the Minister of Transport via the Minister of Local Government on 2 May. In part, that reply stated:

> No proposal to reduce services on the Mount Gambier line has been made to the State Government by the Federal Minister for Land Transport. The State Government would not support the abolition of the service and would protest to the Federal Government. Officers from the Office of Transport Policy and Planning have held discussions with Australian National about problems with the line and its service.

Since that time, using the excuse of ageing rail cars, the passenger service has been cut back even further so that trains may be running only two days a week rather than there being a daily service and services on the weekend as well.

The Hon. Diana Laidlaw: They are putting on buses instead.

The Hon. M.J. ELLIOTT: They are even putting on taxis on some occasions. Last Thursday, I think it was, they used taxis to get passengers from Mount Gambier to Adelaide, but on most occasions buses are used. Yesterday, people who bought train tickets were put on to a scheduled bus service. I might add, the train ticket costs $6 more than a bus ticket and yet the passengers travel by bus. People in the South-East have told me that they are becoming particularly angry that there has been a deliberate sabotage of passenger services and that the State Government has connived by turning a blind eye to the problem. They are now telling me that the freight service is also being sabotaged in a similar manner. Almost all the sidings have been closed. The Naracoorte station is about to close; the Keith station will lose its staff fairly soon, which will leave only Wolseley and Mount Gambier with any staff.

Australian National has, to use its term, 'demarketed' wool and stock. By 'demarketing', I mean that anyone who cannot fill a full railcar with wool is told that their load is not wanted. Australian National has deliberately priced itself out of the stock moving market. Until recently, train loads of stock used to go out of Millicent. Only recently, AN removed the switches so that the spur lines are unusable. Farmers want to send about 20 000 bales of wool out of Naracoorte, as I understand it, but they can no longer do that. Spur lines at Kalangadoo have been removed so that if the timber mill, which was previously served by those lines, wished to use rail again, the lines are no longer available. Now that the passenger service looks like closing, further pressure will build on the freight service because the passenger service picks up some of the cost for the line, for example, line maintenance, signalling staff and so on. While there is a growing awareness of the real benefit of rail versus road, there is a real likelihood that the South-East of South Australia may lose its rail service.

I have already indicated that people in the South-East are getting angry. They are particularly angry because they feel that decisions to close down services are not being made openly. The public want decisions about the future to be made publicly, with all the facts on the table. They are concerned that there has been no public accountability for what is happening, nor any platform for public discussion. My questions to the Minister are as follows:

1. As a matter of urgency, will a direct approach be made to AN to get a clear public statement as to its intent in relation to the rail services in the South-East?
2. Will the State Government get all relevant information held by AN in relation to those services and make it available to the public so that informed discussion can occur?
3. Will the State Government ensure that rail services to the South-East are maintained?
4. Will the State Government consider its own independent inquiry into the closure of country rail services by Australian National, not only in the South-East but also throughout South Australia?

The Hon. ANNE LEVY: I am sure the honourable member is aware that the rail service to which he is referring is completely under the control of Australian National and has nothing to do with the State Government. However, I will refer his question to my colleague in another place and bring back a reply.

STIRLING DISTRICT COUNCIL

The Hon. J.C. IRWIN: I seek leave to make a brief explanation before asking the Minister of Local Government a question about the Stirling District Council.

Leave granted.

The Hon. J.C. IRWIN: The Minister of Local Government's statement to this Council last Thursday in relation to the Stirling council was notable for what it left out, much like the selective leaking that preceded the publishing of the Whitbread report, and notable for its slandering of all Stirling council's councillors and staff since 1980. The statement last week reinforces, as does today's statement, the point that Mr Ross has managed to set the rate for Stirling, locking it into a rate rise of 8.5 per cent. This breaks a promise made often enough by the Minister that Stirling rates will not rise by more than inflation. The official inflation rate in Australia is 7.7 per cent and, according to the South Australian Centre for Economic Studies—a group often used by the Government to make its point—South Australia's inflation rate is 7 per cent.

Does the Minister acknowledge that no-one's wages are rising by the inflation rate? In her statement today, the Minister said that this 8.5 per cent rise was in line with the CPI. By no stretch of my, or anyone else's, imagination is 8.5 per cent in line with inflation; rather, it is above the inflation rate. The Gazette notice appointing Mr Ross as administrator on 14 June and declaring Stirling as a defaulting council states in point 3:

> The Minister is satisfied that the report [that is, the Whitbread report] discloses such serious irregularities in the conduct of the affairs of the council that the council should be declared a defaulting council.

The non-payment of its bushfire liability is, and has always been, an obvious irregularity. No legal expert has been able to provide evidence of any other irregularity which could fall within the Act. The ministerial statement of last Thursday also provides no such evidence. Today's statement again supports the view that there is no other serious irregularity. Further, the press has carried stories attributed to the Minister of Local Government relating to the minimum time an administrator must remain in office. The time often referred to is three months. My questions to the Minister are as follows:

1. Does the Minister know of any serious irregularity which, without the failure to sign the loan document, would have allowed her to appoint an administrator?

2. Has the Minister taken steps to ensure that she and her staff give accurate interpretations of the Local Government Act to the public?

3. Did the Minister consult with the suspended Stirling District Council prior to today's statement?

The Hon. ANNE LEVY: Under the Act (of which I am sure the honourable member is aware), the minimum time for an administrator to hold the position is three months when, at the end of the administrator's time, fresh elections are to be called. Where a suspended council is to be reinstated, there is no minimum time. The comments made earlier about suspending Stirling council for a minimum period of three months were made, and often abbreviated, without the full detail appearing in the press to indicate that the maximum flexibility should be there for either an election or a reinstatement of the Council when the administrator had completed his task. It is the advice of the administrator that he should be able to complete his task by the end of this month. He recommends that the suspended council be reinstated at that time. On his advice, the Government will reinstate the suspended council on 31 August.

The honourable member asks whether I have had discussions with the suspended council. I have not done so. I have attempted to reach the Chairperson of the suspended council to inform him of the statement I was to make this afternoon, but I was not able to make contact with him prior to coming into the council this afternoon. I have left messages for him but I understand that, as yet, he has not received them, or, if he has, he has not acted upon them. I have, however, spoken to the President of the Local Government Association.

The Hon. J.C. Irwin: He does not run the Stirling council.

The Hon. ANNE LEVY: I know that he does not. I have tried to contact the Chairperson of the suspended council.

The Hon. J.C. Irwin interjecting:

The Hon. ANNE LEVY: I have tried to get to him, but I have not been able to do so.

Members interjecting:

The PRESIDENT: Order! The Council will come to order and all questions and answers will be directed through the Chair.

The Hon. ANNE LEVY: I am not sure whether the honourable member would like to check with the people I have spoken to in an attempt to contact Mr Pierce, but I assure him that I have tried to contact Mr Pierce and have left messages. However, it is not for lack of trying on my part that I have not been able to make contact with him.

Members interjecting:

The PRESIDENT: Order! The Minister has the floor.

The Hon. ANNE LEVY: The council was suspended—it was not sacked, despite headlines saying that it had been sacked. It was never sacked but, rather, suspended. On the advice of Mr Ross, the suspension will be lifted on 31 August.

Members interjecting:

The PRESIDENT: Order! The Minister has the floor.

The Hon. ANNE LEVY: The administrator does not believe that he has completed his task but has indicated that he expects to be able to complete what he feels is necessary by the end of this month and has recommended that he be relieved of his position as administrator and that the suspended council be reinstated as from 31 August. That is his recommendation and the Government is happy to implement it.

The honourable member made much comment on the difference between 7.7 per cent and 8.5 per cent in connection with the inflation rate. I assure the honourable member that many councils throughout the State (and I am sure he is well aware of this) are increasing their rates by about that percentage. I know that there are notable exceptions, such as the Adelaide City Council, which has raised its rates by only 3 per cent, and the Mitcham council, which has raised its rates by 18.5 per cent. The honourable member is really nitpicking when we consider that the suspended council, prior to its suspension, was saying that the repayment of its loan to the State Government would require a rate increase of between 22 to 25 per cent, which is very different from the 8.5 per cent that Mr Ross has brought in as the average rate increase for the Stirling district.

The Hon. J.C. Irwin interjecting:

The Hon. ANNE LEVY: The honourable member makes reference to low start payments. Low start payments had always been suggested to Stirling council, with offers to change the mix of low start and non-low start payments if it wished. There was never any suggestion that there would be other than at least a portion of the loan on a low start basis. The council never queried that nor suggested any change in the mix. This is not something new, even though the honourable member may have just found out about it: it has applied ever since discussions on repayment of loans began. In terms of irregularities, it would seem that, having a debt and making no effort whatsoever to repay it on the due date, constitutes an irregularity—a serious irregularity.

This has been confirmed not only as my view but as that of the investigator, as that of the Crown Solicitor and as that of Mr Brian Hayes QC, who is an eminent lawyer experienced in local government matters. It was not an unreasonable assumption to make, and I am sure that most reasonable people would conclude that having a large debt and making no effort to repay it or to settle such a debt does constitute a serious irregularity. This was certainly the primary reason why a serious irregularity in the affairs of the Stirling council was found and which resulted in the suspension of the council on 14 June.

The administrator has, of course, found other serious matters in the affairs of the council with which he has been attempting to deal—most satisfactorily, I should say. He has not only signed the debenture for repayment of $4 million financed through the Local Government Finance Authority but he has also struck the rate and determined the budget for the Stirling council for the current financial year. He has other matters that he feels he needs to work on before he can step down as administrator, but expects to complete those tasks within the next three weeks. As I stated earlier, he will then step down and, at his strong recommendation, the suspended council will be reinstated in Stirling.

AIDS PRECAUTIONS

The Hon. R.J. RITSON: I seek leave to make a brief explanation before asking the Minister representing the Minister of Health a question about AIDS precautions.

Leave granted.

The Hon. R.J. RITSON: In the past, the medical profession has frequently urged upon Governments the institution of compulsory AIDS screening of surgical patients in Government hospitals. The AMA has made this call, as has, frequently, my colleague the Hon. Martin Cameron, but the authorities in all States have declined to do so, as far as I am aware. The general rejoinder is that doctors should take all precautions in every case and need not know the AIDS status of a patient.

In a letter in the most recent edition of the *Australian Dr Weekly*, Dr Wertheimer, Chairman of the Tasmanian State Committee of the Australian Association of Surgeons, points out that a cut resistant glove has been developed specifically to reduce the risks of the transmission of AIDS at the operating table. The difficulty is that these gloves cost between $60 and $75 a pair. However, it would seem that these gloves set a new standard for industrial health, welfare and safety.

In view of the Minister of Health's reluctance to screen all patients so that selective precautions may be taken, will he ensure that in all of the public hospitals all nurses, doctors, anaesthetists and other personnel assisting at operations and procedures involving sharp instruments use these gloves? Will he obtain a legal opinion as to the common law liability, and liability in terms of industrial safety, health and welfare legislation, if the Government refuses to provide this new safety technology purely on the grounds of cost?

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

MULTIFUNCTION POLIS

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

Leave granted.

The Hon. I. GILFILLAN: Just by way of introduction, I should like to assure the Attorney-General that I personally see much to be commended in the concept of an MFP. A television report by Steven Bradshaw of the BBC on the cause and effects of global warming was aired on the ABC's *Four Corners* program last night. The report, using data collected by the United Nations, stated that the cause of global warming is due to the release of carbon dioxide emissions into the atmosphere, leading to a warming of the planet. Despite moves within some countries to push for a 20 per cent reduction in CO_2 emissions by the year 2005, the United Nations predicts a 40 per cent increase in emissions within 25 years.

Australia is listed by the United Nations as being in the top six of the world's worst performers in contributing to CO_2 emissions into the world's atmosphere. It also cited Egypt's Nile River delta as an example of a highly productive agricultural region that will become inundated by rising seawater within a generation. More than three million people in the region will be driven from their homes as the sea level increases, causing widespread dislocation and disruption to the lives of millions of Egyptians. However, this is just one of many millions of square kilometres of low-lying area destined to suffer such a fate.

In the report, Mr Bradshaw interviewed the Director of the United Nations Environment Program, Dr Mostafa Tolba, who stated that all Governments must act now to reduce CO_2 emissions and lessen the effects of rising sea levels. Dr Tolba said that the world was sent into the last ice age following a global drop in temperature of approximately five degrees Celsius. He said that the United Nations is now predicting a rise in world temperatures of around three degrees within the next 20 years, leading to global warming and a rise of half a metre in sea levels around the world, including Australia, a prospect that spells doom for many of the low-level regions of the world.

Insurance companies around the world are now loading property cover premiums to cover the expected effects of global warming and rising sea levels. Gillman, the proposed site of the multifunction polis, has a significant proportion of its area just 20 to 30 centimetres above sea level and, therefore, based on United Nations projections, it will be completely under water by the year 2010.

Does the Government accept the view of United Nations scientists and the worldwide environmental movement about predictions on global warming and its effects? If so, how does the Government propose to hold back rising sea levels and prevent the low-lying area of Gillman, the proposed site of the multifunction polis, from being inundated by the sea by the end of the century?

Will the Government seek an undertaking from insurance companies that there will be no loading on property premiums in the low-lying Gillman development area?

The Hon. C.J. SUMNER: I understand that the potential problems of the greenhouse effect were taken into account when the Gillman site was chosen for the South Australian bid, but, as the honourable member knows, the decision was taken to proceed with it. If the honourable member wants any further information, I will have to refer the question to my colleague and bring back a reply, but I understand that the potential effect of the greenhouse effect was considered.

The Hon. I. GILFILLAN: As a supplementary question: will the Attorney-General assure me that he will provide the evidence which shows that the Gillman site has in fact been assessed for the global warming and water rise effects?

If not, will he give an undertaking to provide that information to the Council?

The Hon. C.J. SUMNER: I will refer the honourable member's question to my colleague and bring back a reply.

HOUSING TRUST

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Minister of Tourism, representing the Minister of Housing and Construction, a question about the South Australian Housing Trust.

Leave granted.

The Hon. J.F. STEFANI: Earlier this year, the Minister of Housing and Construction advised Parliament that the South Australian Housing Trust had sold its headquarters in Angas Street for $16.5 million. The Minister further advised Parliament that this sum included $9 million for the sale of the site and $7.5 million for the share of the development profits. As at June 1989, the Housing Trust had received only $900 000 by way of a deposit, yet in its 1988-89 financial reports it had declared a profit of $5.786 million. The developer has since gone into liquidation and the deal has fallen through.

I have been advised that, on the expectations of the millions of dollars in profits, the South Australian Housing Trust entered into a long-term leasing agreement for 11 000 square metres of prestigious office space at Riverside at an annual cost to the taxpayers of $2.64 million. In view of the $40 million cut in Federal housing grants, the additional lease expenses of $2.64 million and the loss of revenue from the sale and development of the Angas Street property, my questions to the Minister are:

1. Can the Minister explain her statements in a letter dated 4 July 1990 advising me that there will be no cash shortfall and the trust's present and future budgets will not be affected?

2. Is the Price Waterhouse review on the operations of the Housing Trust available and when will it be tabled in Parliament?

The Hon. BARBARA WIESE: As I understand it, these issues were raised recently by the honourable member by way of media statements. My colleague, the Minister of Housing and Construction, has already indicated that the Hon. Mr Stefani got his sums wrong when he was making assessments about the Housing Trust property. However, I shall be very happy to refer the honourable member's questions to my colleague and I am sure that he will be able to set the Hon. Mr Stefani straight on this issue.

LEAVE OF ABSENCE: Hon. J.C. BURDETT

The Hon. R.J. RITSON: I move:

That two weeks leave of absence be granted to the Hon. J.C. Burdett on account of absence overseas on Commonwealth Parliamentary Association business.

Motion carried.

STANDING ORDER 14

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

That for this session Standing Order 14 be suspended.

It has become customary to suspend this Standing Order, which provides that the Address in Reply shall take precedence over other business until the motion for the Address in Reply is adopted. The only thing that I would say is that, although the priority for the Address in Reply is suspended by this motion, I ask honourable members to attempt to give it the required attention over the next two weeks.

Motion carried.

EVIDENCE ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Evidence Act 1929. Read a first time.

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

That this Bill be now read a second time.

As this Bill is similar to one that was introduced in the previous session, I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill makes a number of amendments to the Evidence Act 1929 ('the Act'). A Bill to amend the Act was introduced in the last session of Parliament. This Bill is substantially the same, although a number of amendments have been made to take into account comments received on that earlier Bill.

The Bill amends the law relating to judicial notice of legislative instruments in legal proceedings. It also amends the Act to allow the admission into evidence of information which has been copied and reproduced by a computer and amends Part VIB of the Act with respect to reciprocal arrangements between the States as to the provision of evidence for use in proceedings.

It is a principle of common law that judicial notice will be taken of statutes but not of regulations and proclamations. This means that proof of regulations and proclamations must be tendered to the court. At present, it is necessary, in the prosecution of an offence against a regulation, to tender the regulation concerned as part of the complainant's case. Section 37 of the Act provides that evidence of the making of the regulation may be given by the production of a document purporting to be a copy of the *Gazette* that contains the regulations. The same procedure applies to proclamations.

From time to time the prosecuting counsel may, by inadvertence, fail to tender the regulations relating to the offence. The result of such a failure may be the technical dismissal of the complaint which in all other respects has substantial merit. The success of a prosecution should depend on the merits of the case and a failure to prove the content of a regulation should not be a ground for dismissal, especially given that the defendant is presumed to be aware of the existence of the regulation at the time of the commission of the acts alleged to constitute the offence.

Even when proceeding against a defendant *ex parte*, the prosecutor is still required to prove any regulations alleged to have been breached. This procedure is impractical—if only because of the expense involved and the need for the court to store the exhibit.

The Commonwealth has already enacted legislation to provide that a court shall take judicial notice of regulations and proclamations of the Commonwealth. The Government considers that such an approach should also be adopted in this State. Therefore the Bill provides that a court must take judicial notice of a legislative instrument. 'Legislative

instrument' is defined to include Acts, regulations and proclamations from this State and other States.

The Bill amends the Act to allow the admission into evidence of information which has been copied and reproduced by a computer.

The State Government Insurance Commission ('SGIC') intends to introduce a system whereby all its hard paper files in the Compulsory Third Party Claims area will be converted to computer retained documentation. To achieve this, SGIC proposes to use an optical character reader ('OCR') which converts a piece of paper into a computer image for storage and later reproduces a file by the selection of all relevant documentation. As it is intended that, upon conversion, all hard copy documentation will be destroyed, SGIC wishes to ensure that the information produced by the OCR will be admissible in court.

The existing section 45c of the Act is concerned with the requirements for admission into evidence of a copy document as proof of the contents of the original document.

However, section 45c (5) allows a court to require the production of the original document in some circumstances.

The current section 45c has been repealed and replaced with a new section which modifies the 'best evidence rule' in so far as it states that a document which accurately reproduces the contents of another document will be as admissible as the original document, notwithstanding that the original no longer exists. The court is provided with a number of bases upon which it may decide that a document accurately reproduces the contents of another. If a court admits or refuses to admit a document under the section, the court must state the reason for that decision, if requested to do so by a party to the proceedings.

The new section also makes provision for a reproduction to be made by an 'approved process' from which it will be presumed that the document is an accurate reproduction.

The Bill also amends Part VIB of the Act which provides for the obtaining of evidence outside the State for use in proceedings within the State and for the taking of evidence in the State for use in proceedings outside the State. Part VIB was enacted in 1988 to replace existing provisions to implement the obligations under the Hague Convention on Taking Evidence Abroad in Civil and Commercial Matters. The Commonwealth Attorney-General is concerned that this provision, which duplicates provisions in the Mutual Assistance in Criminal Matters Act 1987, which came into force on 1 August 1988, will confuse Australia's ability to handle requests to take evidence.

The Commonwealth considers that its provisions cover the field in this area. If this is so the State provisions are inoperative and evidence obtained under them for use in overseas countries will not be validly obtained. To avoid this possibility the State provision needs to be amended so that it applies only to the taking of evidence in criminal proceedings for use in the Australian States and Territories.

Article 11 of the Hague Convention requires a contracting State to permit a person, whose evidence is being taken in Australia, to refuse to give evidence in so far as he or she has a privilege or duty to refuse to give the evidence under the law of the State of origin of the request for taking the evidence.

The article permits the privilege or duty to refuse to give the evidence arising under the law of the State of origin of the request to be specified in the Letter of Request, or, at the instance of the requested authority (such as the South Australian court) to be otherwise confirmed to it by the requesting authority.

The Commonwealth Attorney-General is concerned that section 59f (6) does not make sufficient provision as regards claims for privilege on grounds based on the law of the State or origin of a request. Section 59f (6) provides that the South Australian court may permit a witness to decline to answer a question where, in the opinion of the court, the answer to that question might incriminate him or her or where it would in the opinion of the court be unfair to the witness, or to any other person, that the answer should be given and recorded.

It is arguable that section 59f (6) does give effect to the obligations under the convention but to put the matter beyond doubt the section should be amended to make it clear that a person cannot be compelled to give evidence if the person could not be compelled to give the evidence in proceedings in the State of origin of the request.

The Bill also makes a minor amendment to section 69a of the Act relating to suppression orders. The section currently provides for a court to make a suppression order when it is satisfied that an order should be made to prevent undue hardship to a victim of crime. The amendment refers to an alleged victim of crime. I commend this Bill to honourable members.

Clause 1 is formal. Clause 2 repeals section 35 of the principal Act and substitutes a new section 35. The effect of this, together with the repeal and replacement of section 37 by clause 3 is to replace the existing provisions of the principal Act that deal with the proof of statutory instruments in court proceedings and the evidentiary value of matters contained in the *Gazette*. The new section 35, which effectively replaces the existing section 37, removes the necessity to prove a range of legislative instruments in court proceedings. The current section 37 sets out the means by which South Australian regulations, rules, by-laws, commissions, proclamations and notices can be proven in court. It can be done by production of the *Gazette* containing the instrument (or the relevant pages of the *Gazette*) or by production of an officially printed or certified copy of the instrument. The new section 35 deals with a much broader range of instruments and requires a court to take judicial notice of those instruments. This applies to: South Australian statutes; statutes or ordinances of any other State or Territory; Imperial statutes forming part of the law in Australia; regulations, rules, by-laws or other forms of subordinate legislation made in South Australia or in any other State or Territory; and proclamations, orders or notices published in the South Australian *Gazette* or in the corresponding official publication of any other State or Territory of the Commonwealth.

Clause 3 repeals section 37 of the principal Act and substitutes a new section 37. The new section effectively replaces section 35 of the principal Act, which is repealed by clause 2. Section 35 of the principal Act provides that where the Governor or a Minister is authorised by any law to do any act, production of the South Australian *Gazette* containing a copy or notification of that act is evidence of the act having been done. The new section 37 broadens this evidentiary value of the *Gazette* by providing that the *Gazette* or the corresponding official publication of any other State or Territory of the Commonwealth is admissible in any legal proceedings as evidence of any legislative, judicial or administrative acts published or notified in it.

Clause 4 repeals section 45c of the principal Act and substitutes a new section. The current section 45c allows certified copies of documents to be admitted in evidence. It provides that a document that appears to be a facsimile copy of an original document is admissible as evidence of the contents of the original document if the copy is certified as a true and complete copy (once for the whole document and once on each page) by a person authorised to take

affidavits. A copy of a copy is also admissible if similarly certified and if the 'original' copy would itself have been admissible in evidence. The court can still require production of the original even if these certification procedures have been followed. It is an offence to knowingly sign a false certificate.

The new section broadens the means by which copies may be admitted as evidence. It provides that a document that accurately reproduces the contents of another is admissible in evidence before a court in the same circumstances and for the same purposes as that other document. That is so whether the other document (that is, the 'original') still exists or not. Under subsection (2) the court has a broad discretion as to how it determines whether the copy accurately reproduces the original. It is not bound by the rules of evidence. It may rely on its own knowledge of the nature and reliability of the processes by which the reproduction was made or may make findings based on the certificate of a person who has knowledge and experience of the processes by which the reproduction was made.

The court can make findings based on the certificate of a person who has compared the contents of both documents and found them to be identical, or it can act on any other basis it considers appropriate in the circumstances. Under subsection (3), the new section applies to reproductions made by an instantaneous process. It also applies to reproductions made by a process in which the contents of a document are recorded (by photographic, electronic or other means) and the copy subsequently reproduced from that record, and to reproductions made in any other way.

Subsection (4) creates a presumption that a reproduction is accurate if the reproduction is made by an 'approved process'. An 'approved process' is one that has (under subsection (5)) been notified in the *Gazette* by the Attorney-General as an approved process. Subsection (6) requires a court to state its reasons for admitting or refusing to admit a document under this new section, if a party to the proceedings asks for those reasons. It is an offence under subsection (7) knowingly to give a false certificate for the purposes of the new section. The maximum penalty is imprisonment for two years.

Clause 5 amends section 59d of the principal Act, repealing subsection (2) and substituting a new subsection. The current subsection provides that Part VIB of the Act applies in respect of both civil and criminal proceedings. Part VIB of the Act regulates the taking of evidence outside the State for the purposes of court proceedings within the State and the taking of evidence within the State for the purposes of proceedings before a court outside the State. The new subsection (2) provides that these provisions now apply to proceedings originating in courts within or outside Australia in the case of civil proceedings but only to proceedings originating in Australian courts in the case of criminal proceedings. This means that the provisions in Part VIB no longer apply to criminal proceedings originating in courts outside Australia.

Clause 6 amends section 59f of the principal Act. Section 59f authorises certain South Australian courts to take evidence on behalf of courts outside the State. The amendment inserts a new subsection, subsection (7), which provides that where a State court is taking evidence pursuant to section 59f on behalf of a court outside the State, a witness cannot be compelled to give evidence on a particular subject if he or she could not be compelled to give evidence on that subject in the court from which the request to take evidence originates. This amendment also amends subsection (5) to make it clear that the decision as to whether subsection (7) applies or not is a matter for the South Australian court.

Clause 7 amends section 69a of the principal Act to correct an anomaly.

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

FENCES ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Fences Act 1975. Read a first time.

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

That this Bill be now read a second time.

As this Bill is identical to one that was introduced in the last session, I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill amends the Fences Act 1975 ('the Act') by dealing with the jurisdictional limits of courts concerned with fencing matters and by enabling a court of appeal to amend its original order to allow for any increase in fencing costs that occur during the period a decision was under appeal.

Section 13 of the Act sets out the jurisdictional limits of courts dealing with fencing matters. The pecuniary amounts set out in section 13 were originally linked to the normal jurisdictional limits in the local court. However, an amendment to the Local and District Criminal Courts Act has increased the monetary limits of the small claims jurisdiction and the local court of limited jurisdiction. The proposed amendment will ensure consistency between the Acts.

The second amendment has been suggested by the Senior Judge. The Senior Judge has indicated that possible injustices can occur where an appeal is instituted against a court's determination on a fencing matter. As a result of the time delays associated with an appeal, by the time the original decision of the court is confirmed by an appeal court, the fencing contractor may not be prepared to do the work for the amount originally quoted.

The current provisions of the Act do not allow a court to vary the original order to reflect any increase in contract price which may occur as a result of the appeal process. The Senior Judge has suggested that an amendment be made to the Act to enable a court to vary the original order in this manner.

The Government agrees that currently difficulties could arise in some cases where, due to the time involved in the appeal process, the original court order cannot be put into effect. Many of the potential difficulties will be avoided by the amendment to the Act to allow the court of appeal to vary the original order. I commend this Bill to honourable members.

Clauses 1 and 2 are formal. Clause 3 inserts a new section after section 12. The new section empowers an appellate court to vary any determination as to the cost of fencing work to take account of any variations in the cost subsequent to the determination appealed against.

Clause 4 substitutes section 13 which deals with the jurisdiction of the local court under the Act. The substituted section provides that a local court of full jurisdiction has jurisdiction over proceedings involving a monetary claim exceeding the jurisdictional limits of local courts of limited jurisdiction. A local court of limited jurisdiction has jurisdiction over all other proceedings under the Act. The current

section is to the same effect but refers to the specific amounts that constituted the jurisdictional limits at the time of the latest amendment to the Act in 1983. The current section also provides for small claims under the Act. Small claims can be provided for by ministerial notice under the Local and District Criminal Courts Act 1926.

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

ACTS INTERPRETATION ACT AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Acts Interpretation Act 1915. Read a first time.

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

That this Bill be now read a second time.

As this Bill is also identical to one that was introduced in the last session, I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

This Bill makes several amendments to the Acts Interpretation Act 1915.

First, it widens the definition of statutory instrument so that definition includes any instrument of a legislative character made or in force under an Act. This is intended to ensure that section 16 of the Act especially, and all other relevant provisions of the Act, apply to instruments such as proclamations or ministerial notices.

Secondly, proposed new section 14ba replaces and widens section 14b (2) so that the provision applies as well to an Act other than a South Australian Act and to a reference to a Part or provision of an Act made in the same Act. The latter change ensures that a provision in an Act requiring something to be done in accordance with another Part of that Act would also require compliance with regulations, etc., made under or relating to that Part.

Thirdly, section 40 is amended to provide that where an Act provides for the making of regulations, the regulations may, unless the contrary intention appears, apply, adopt or incorporate with or without modification the provisions of any Act, or any statutory instrument, as in force from time to time, or as in force at a specified time or any material contained in any other instrument or writing as in force or existing when the regulations take effect or as in force or existing at a specified prior time. At present regulations cannot be made requiring, for example, compliance with an Australian Standard or Code, unless the Act under which the regulations are to be made contains a specific enabling power allowing this to be done. This amendment, which is similar to section 49a of the Commonwealth Acts Interpretation Act, eliminates the need to amend Acts on an individual basis when it is desirable to make regulations requiring compliance with Australian Standards and such like.

The amendment only allows regulations to refer to a current standard. The question whether regulations may refer to a standard, etc., as in force from time to time is left to be examined by the Parliament on a case by case basis.

Clause 1 is formal. Clause 2 amends section 3 of the principal Act which contains definitions of various terms for the purposes of the Acts Interpretation Act and other Acts. The definition of 'statutory instrument' is widened so that it also includes any instrument of a legislative character made or in force under an Act.

Clause 3 makes an amendment that is consequential to the new section 14ba proposed by clause 4.

Clause 4 inserts a new section 14ba which provides that a reference in an Act to some other Act (whether or not a South Australian Act) includes, unless the contrary intention appears, reference to statutory instruments made or in force under that other Act. The proposed new section also provides that a reference in an Act to a Part or a provision of the same Act or any other Act (whether or not a South Australian Act) includes, unless the contrary intention appears, a reference to statutory instruments made or in force under the Act or that other Act in so far as they are relevant to that Part or provision.

Clause 5 inserts a new section 40. The proposed new section provides that a matter may be provided for by regulations, rules or by-laws by applying, adopting or incorporating, with or without modification—

(a) the provisions of any Act or statutory instrument as in force from time to time or as in force at a specified time;
or

(b) any material contained in any other writing as in force or existing when the regulations, rules or by-laws are made or at a specified prior time.

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

ADDRESS IN REPLY

The Hon. C.J. SUMNER (Attorney-General) brought up the following report of the committee appointed to prepare the draft Address in Reply to His Excellency the Governor's speech:

1. We, the members of the Legislative Council, thank Your Excellency for the speech with which you have been pleased to open Parliament.

2. We assure Your Excellency that we will give our best attention to all matters placed before us.

3. We earnestly join in Your Excellency's prayer for the divine blessing on the proceedings of the session.

The Hon. M.S. FELEPPA: I move:

That the Address in Reply as read be adopted.

In doing so, Sir, I wish to thank His Excellency the Governor for officially opening the second session of this Parliament. Sir, In my contribution today I wish to speak in relation to two topics, neither of which is of immediate importance, but which I believe will be of great significance in the decade and century ahead.

If the subjects to which I give my attention today come to pass, our successors will certainly look back to this time and say that we laid down the strong foundation for the benefits that they will enjoy in the decades ahead.

Mr President, the subject for the century ahead, in my view, is the need for Australia to become a republic, and the subject for the next few decades ahead, which will benefit future generations into the 21st century, is the multifunction polis.

First, I make a few comments in relation to the multifunction polis. The meaning of the name 'multifunction polis' and the purpose of the institution are not clearly known or understood by the public at large. What has been reported in the media so far has somehow been distorted and inaccurate and has often carried some strange ideas of what the MFP will be and how it will function. In fact,

much confusion has been aroused simply by the name 'multifunction polis'.

The word 'polis' is little understood, but perhaps more importantly as a political philosophy it is quite unacceptable. A 'polis' is a classical Greek concept of a city, but it is a city in which the individual is strictly subject to the will of the family, and the family is subject to the will of the State. Freedom seems somehow to be denied. It is quite the reverse of what we in this country consider to be the democratic right of every law-abiding individual and the dignity of a free individual to act on his or her own vision, without violating those of others. In the Greek polis the individual exists for the State. In a democracy, like ours, the State exists for the individual.

Yoshio Sugimoto, in his thesis 'High Tech Cities for Lonely Technocrats', says:

> Japan is a paradise for Technocrats because the corporatist political structure based on an alliance between big business and centralised government (to the exclusion of organised labour) operates without effective opposition.

He goes on:

> To put it briefly, the Japanese style of social engineering places an emphasis upon the fulfilment of institutional requirements at the expense of the encouragement of individual rights and choices: long working hours, regimented working conditions, rigid education, severe gender inequality and conformist community.

This is the polis, in all its hideous bloom, operating in Japan, and the name 'polis' is appropriate to Japan. However, it is not in keeping with the Australian tradition and sentiment.

So many people from different countries visit Australia and find that we have such a free and open society that they want to remain here. The Japanese will be no different, but they may take back to Japan ideas that can transform their society from the 'polis' mentality to democratic practice. Therefore, Mr President, for us the word 'polis' could be seen as unacceptable because of the stigma that it carries.

Perhaps we should consider a more suitable name which carries no stigma and which is somewhat more descriptive in explaining what MFP-Adelaide is all about. At this point, I venture to suggest that we should call it Playford City, Adelaide High Tech City or, if I may use the motto of the Romans of giving to Caesar what belongs to Caesar, we should therefore consider naming the city after the Premier—Bannon City.

Mr President, it is obvious that few people in South Australia have a clear picture of what the MFP concept will be. Writing in 1989, William H. Colldrake said:

> It is now two years since these proposals were made but debate has blurred rather than sharpened the focus of the definition of an MFP in Australia. Few Australians realise the sweeping magnitude of the plans being considered and the social as well as technological revolution they imply. The MFP proposal is regarded with that mixture of suspicion and resentment that any product of Government, particularly that involving Japan, arouses in certain vociferous sections of the Australian community.

That was in August 1989, but since then the focus has sharpened. The proposal now is for an international venture, which should allay fears about Japanese 'takeover' or domination. An international structure is being explored, but at present it seems that, at first, the MFP will be a joint Australian-Japanese venture. International participation, I am sure, will come later when the success of the project is totally assured, and then participation could be on our terms.

The Japanese see the MFP as one step towards ensuring peace and stability on the Pacific rim. In fact, Australia's Minister for Industry, Technology and Commerce, Senator John Button, expressed similar sentiments on behalf of Australia when he said that 'the MFP would serve as a symbol of Asia-Pacific cooperation'. To clarify our chances of success with the MFP concept requires that we look at what the Japanese have done in this area. Japan has 19 technopolis cities under construction and 21 other projects under construction around Tokyo Bay with a committed outlay of $A70 billion at the 1989 rate. For our proposed MFP project there have been reports that eight or so nations have so far expressed interest or are engaged at the official level, and 62 'blue chip' companies were involved in last October's market testing program. More recently, 100 or more companies from Japan and the United States have expressed their interest in the Australian project. From these types of indicators alone it can be seen that the MFP concept has enormous potential for good, economically, socially and culturally.

One way in which the MFP can be seen is in its material and social aspects. It must be said that the MFP is not intended as an enclave or a ghetto of foreigners, closed in with entry restricted to outsiders. It cannot be so. The very nature of the MFP concept is that it has an intake of people and an outflow of information and knowledge. The fundamental purpose is that it be open to all Australians via the information and knowledge channels. It must succeed as a good place to live, to learn and to work, and where creative leisure can be enjoyed. The MFP will have a social content and focus, in which it will be unlike any other working, teaching or learning structure.

In approaching the economic view of the MFP, we need to look at it differently from past concepts of industry and commerce. It was once considered that the ingredients for a successful economy were land, from which resources could be obtained by agriculture or mining; capital, with which to drive the economy; and labour, to produce for the economy. With the great volume of knowledge which has now come with the twentieth century and which has so rapidly expanded in these latter decades, knowledge or information has become the fourth necessary ingredient in a successful economy. So vast is this knowledge that it needs to be gathered, coordinated and distributed to those who are willing to take it into the development of their economy.

Future science and technology will provide generations of new information which will undoubtedly fuel the engines of future new wealth, and we need the channels well in place now for future communication of this information. We need to commence the MFP now so that it will be in place when it is needed in the future, because information will become the commerce of the future, beyond any doubt. Access to the knowledge and information generated from MFP-Adelaide will be available to Australia as well as to the Asia-Pacific area and the whole world.

This information utility will have a charging basis from which to generate income. A spin-off from this trade should be enhanced quality of life, not only here in Adelaide and South Australia, but for the whole of Australia.

Mr President, the issue of technology transfer is something that has concerned many who have followed the development of the MFP concept. Yoshio Sugimoto made the following observation:

> On what evidence does Australia expect that the MFP would result in technological transfer from Japan? Even within Japan, the national bureaucracy and large corporations are very reluctant to transfer technology from Tokyo and their major metropolitan centres to peripheral regions for local development, and the general tendency is that the knowledge-intensive parts of the Japanese economic system are increasingly concentrated and controlled.

However, it is my view that the question is really beside the point. All countries want to guard and protect their technological secrets, and Australia would be no exception. But what will be available through the MFP will be a vast array of knowledge and information in areas which exceed

that which is currently available to universities, such as information about industry, health, the environment, and leisure, most of which is not gathered and coordinated and, hence, not readily available.

The material and social view of the MFP and the economic view take on a different complexion when the academic and industrial view is well understood. In schools in the 1920s and 1930s the library was not considered part of the structure of education. A child's school text books were considered sufficient for its needs. If there were any extra books they were more for entertainment than for reference. Then, after many years, the library was recognised as an educational resource and was incorporated into the school. As the library grew in importance as a resource centre, a librarian became a necessity.

Now the school library is equipped with books, magazines, extracts from various works, video and audio tapes, films, photos and even toys for the younger children. It is an information centre from which knowledge is drawn under the guidance of the teacher and librarian. This is an example of the advances in the kinds of information and the means of delivering it that have occurred in recent years, and such an example of advancing information technology certainly points to the MFP concept.

There is another way of approaching the question of advancing knowledge and information technology. Pierre Teilhard de Chardine, a French philosopher, viewed evolution by taking a step where there was a sphere of life surrounding the earth and then, with the coming of mankind, there formed a sphere of knowledge around the earth which he called the 'noosphere'. The sphere of knowledge took thousands of years to form and enfold the earth, and hundreds of years to solidify into a body of knowledge.

However, in his view, it has taken only a few decades to burst into such volume that, without gathering it, coordinating it and disseminating it, only a small part of it can be put to use for the benefit of all humankind. To do that we need, and we need urgently, an MFP-type development in this country, and particularly in our State. Viewed this way, the MFP could become something more than a social consideration, more than an economic consideration: it could become a state of mind. Within the MFP there will be a communication and information centre, an advanced learning technological centre but, most important of all, the World University.

The South Australian Government's submission on the MFP sets out what this World University concept would be, as follows:

> The World University is not just another new tertiary campus with a novel form of overseas investment. The demand for lifelong education and training is rising so rapidly, and the diversity of required educational services becoming so great, that conventional institutions with 20th century structures and procedures in schools, universities and technical colleges will not be appropriate to meet the new demands. Conventional, stand-alone, competing institutions will be neither efficient nor flexible enough to provide what will be needed for the MFP educational infrastructure.

William Coldrake, in his paper referred to earlier, says:

> The MFP will be much more than a conventional university, going beyond them in gathering, coordinating and distributing information, linking scientific information to industry, producing new information, extending subjects to include total health, recreation and leisure, and to reach out to commerce and industry.

Such a university may be seen as a threat to present day academics, but it is not intended to be so; it is intended to extend and enhance their role as researchers and teachers coming into the twenty-first century.

The world university will reach out to them and considerably strengthen existing institutions by offering them and others international symposiums, intensive leading edge short courses, specialised training, master classes, joint courses with international institutions, educational tele-conferences and programs of educational events which will involve both academic and industry resources in any part of the world. In Adelaide, academic research institutions and industrial and health sectors have a strong linkage already, and the network is in place for the commercialisation of future research. With the coming into being of the world university, farsighted thinkers should welcome what the MFP has to offer in this fast changing world. And, because a farsighted view is need to appreciate just what the MFP is, it is very much a state of mind.

Mr President, before I conclude my remarks on this subject, it is my wish to remind you, Sir, and members of some of the comments and views expressed by some prominent people in the past two years. In an article in the *Australian Rural Times* of 27-28 March 1990, headed 'Super-city-scrapping threatens trade: NFF' the National Farmers Federation Director of Research, Dr Gus Hooke, is reported as saying:

> Australia's future depended on technology and progressive thinking being positively embraced . . .

The article went on to state:

> Dr Hooke warned that if Australia did not embrace high technology through such projects as the multi-function polis it was in danger of becoming a nation of Luddites clinging hopelessly to the past. It was imperative Australia did not turn its back on progress once again. We missed out on the computer revolution in the 50s and 60s and then we got upset about it afterwards.

The next article, headed 'Futuristic plan is no Orwellian fantasy', was written by Denis Gastin and published in the *Australian* of 19 March 1990. He states:

> MFP will not be a 'Japanese city' as it is frequently declared to be in the media. The MFP concept document released publicly in September 1989 makes it clear that, if it is to be anything at all, it will be a city which is 'profoundly Australian' at the same time as providing a focus for international exchange in the Asia-Pacific region . . . MFP should not be a cultural enclave but, rather, should be integrated with the remainder of Australian society . . . MFP would not be recountenanced as a 'wealth mine' for foreigners. The rationale for this project, from an Australian perspective, is wealth creation for all Australians and a means of assisting structural change in the Australian economy to help develop an internationally competitive and export-orientated structure . . . An instrument such as MFP gives Australia the opportunity more consciously and deliberately to manage the accretion of foreign capital and technology . . . So until the time arrives when Australia can do without foreign technology, skill and capital, we must be prepared to welcome foreign participation in our economy as the means to address our national goals and to allow that the quid pro quo is a reasonable return.

The third article titled 'MFP: the city at the centre of the world', written by Chris Brice, appeared in the *Advertiser* of 28 July 1989 and reported Professor David Yencken, Chairman of the School of Environmental Planning at the University of Melbourne. The article states:

> . . . the most significant opportunity afforded Australia by the MFP was the change to take on a new role in the Asia/Pacific region, to become a bridge between Western and Eastern cultures.
>
> Professor Yencken has been undertaking studies into the settlement, cultural, social and environmental issues created by the MFP concept which envisages the creation of an international high-tech, bio-tech city in Australia . . . As a western society in the Asian/Pacific region we are perfectly positioned to play that role to provide entree to, and an understanding of, Japanese and other east Asian business worlds; to become a forum for East-West exchanges of all kinds, and to play an international role in the region similar to that of Switzerland or Sweden in Europe.
>
> With the size of our population and economy we cannot aspire to be a major player in the world's affairs but we can become a moderator and interpreter between some of its major powers, and we can do this to our own and perhaps the world's advantage.

The fourth article, headed 'Futuristic city will help local industry', written by Fiona Kennedy was published in the *Australian* of 2 May 1990. The article quotes a Professor

Inkster, a visiting professor at the University of New South Wales. It states:

Australians had to accept that 'insidious' foreign ownership was turning their country into a 'front-man' for other economies.

An MFP would not increase foreign ownership and could turn it to Australia's advantage. Don't take it that if you don't have the MFP you have a pristine, untarnished, virginal Australia, untouched by the forces of the outside world. We're solidly inside the forces of the international economy, of the international technological system, and the best thing to do is to optimise our position.

The final article, written by Geoff Burchill and published in the *Australian* of 12 May 1990, is headed 'MFP offers chance to take the world stage'. It is an industry opinion which states:

Australia has an opportunity to create a world model for futuristic integrated urban planning that could become the catalyst for a much needed new national destiny.

There is a growing opinion overseas that Australia must grasp a new niche market in the application of internatioanl technology—and the development of the multi-function polis (MFP) blueprint provides scope for such a market to be explored.

At the recent International Union of Local Authorities (IULA) World Urban Development Forum in Belgium, the focus by the 49 countries represented was on the environment, particularly the ravages of pollution . . .

It is clear that the MFP blueprint is one of the considerations in allowing Australia through specialisation in environmental innovation to play a model role in showing how nations can achieve economic development without the high cost of pollution. . . . The MFP concept opens the door to tremendous possibilities in urban economic development planning.

The MFP is about promoting a city of the future as a means of achieving a broad-based national business strategy that will succeed to a changing world leading to the year 2020.

It is intended to encompass living, working, learning and relaxing within a single city or region.

It recognises that by the turn of the century less than 1 per cent of people will produce our food needs, less than 10 per cent will manufacture our goods, and the remaining 90 per cent will be shared between information technology, services and leisure . . . Our export of wool, wheat, beef and mineral resources is at an end, with our economy in serious need of restructuring.

The tourist industry is one of Australia's most effective export earners and has already led to much greater interaction with our Asian neighbours.

But we must enter the international market in another more futuristic direction in which we have a marketing advantage.

This is where the MFP becomes extremely important . . . Australia has some work to do in lifting its game.

Australians generally are still seen as quick buck merchants not experienced or sophisticated in long-term planning or long-term patience.

Our financial system reflects the short-term view taken by Australians on almost all issues. At the moment many people see us as a nation divided about its destiny.

There is simply no identifiable national vision, we seem to lack cohesive leadership and too much of our energies are wasted in negative pursuits of internal destruction.

From overseas it appears that Australians are preoccupied with attacking each other and promoting negative viewpoints which contrast sharply with the positive feelings coming across in Europe especially.

The Australian media is seen to usually presume the worst and to take the view—often sheer cyncism—to sink our heroes and cut down the tall poppies.

There is no doubt that through the MFP concept the national perspective can be shaped for the future to show that Australia can play a leading role in urban planning on the essential economic base of core activities, including education, health care, telecommunications, media, leisure and resort development.

I take this opportunity to congratulate the Leader of the Opposition, Mr Dale Baker, who publicly indicated, on behalf of his Party, his support for this concept. The fact that he is seeking answers to legitimate questions is constructive and I am sure that the South Australian Government has nothing to hide. For the project to succeed we need broad community backing from all South Australians.

The Hon. R.J. Ritson: Including Peter Duncan.

The Hon. M.S. FELEPPA: Yes, including Mr Peter Duncan. For these reasons, we need to join the Premier and the Government in conveying the relevant information to the public. We need to involve rationally groups and individuals in every stage of the MFP planning and, as elected representatives, we have a great responsibility in debating the issue in a rational and commonsense manner for the benefit of the success of the project and for all South Australians. In summary, I conclude my remarks on the MFP by quoting William Coldrake who stated:

The MFP challenges us to put aside prejudices based on ignorance and to become both 'Asia literate' and 'techno-literate' at the same time. It offers unprecedented opportunities for long-term collaboration with the Japanese Government and industry on large scale projects with unparalleled potential for technological, cultural and financial benefits in areas essential to our national and individual well-being. The onus is on us to address the serious issues and to offer our own solutions so that the MFP will meet Australian needs in the twenty-first century.

I now turn to my second subject, namely, the need for Australia to become a republic. Members would recall the many comments that have been made over a number of years in favour of this change. Members would also be aware of several books, written by many prominent people, with a strong emphasis on the fact that it is only a matter of time before Australia may decide to shift from a monarchy to a republic. I draw members' attention to my Address in Reply contribution of 9 August 1988—the year that Australians celebrated our bicentenary. At that time I stated:

Now is the time to reflect upon both the good and bad and plan ahead for the good of all Australians, both old and new.

We severed the last legal ties with England only a few years ago. We still retain the royal connection. I accept that this represents an emotional attachment for many of our citizens and I highly respect their feelings. However, I suspect that these are becoming less and less important and that the need to shed this vestige of dependency will become stronger and stronger in the years ahead.

It may be that one positive outcome, as we move out of this bicentennial celebration, will be a more serious examination of the first centennial of our independence from the United Kingdom. It may be that we should make the year 2001 the time at which the democracy that we have inherited from Britain finds its full expression in turning Australia into a republic.

For the twenty-first century, Australia needs to have its own identity, recognised by the world and particularly by the countries of the Asia-Pacific region. It is imperative, therefore, that we endeavour to establish our own identity—an identity which is not dependent on Great Britain and the monarchy but, rather, which comes from our own maturity giving us, as Australians, stature and strength. The key words to bear in mind are 'identity, maturity, stature and strength'. In supporting these sentiments, a prominent Australian, Professor Donald Horne, at page 38 of his book *Ideas for a Nation* states:

Whitlam was not making a proclamation of superiority but of decolonisation. Australia could define itself in relation to its neighbours with a new sense of confidence, not in relation to all the memories of an empire with a sense of dependence.

We can value some of the institutions and traditions inherited from Britain, but, above all else, we are now Australians. The British migrants who came to this country did not come here to be Britons in exile, nor did those who came from many other countries, as did I, come here to be pseudo-British. We all came to this country to be first and foremost Australians. What we have built up in the 200 years we have been here and what we have given during two world wars and some minor ones has well established our identity.

The engine which drives any community to success is its economy, and Britain has now embarked on her own course which will take her into the combined Europe of 1992, a community with its trade preferences, monetary system and closed economy. Of course, by that time, Australia will economically be pushed aside. We will then be on our own.

As Senator Chris Schacht observed on 29 April 1990, speaking at the Fabian Society conference:

> Australia gets no trade or financial advantages from Great Britain by being a constitutional monarchy.

Britain, in my view, has no military interest in our sphere of the world since the withdrawal of her military forces east of Suez. We are now on our own, militarily and economically, and we should accept this and show the rest of the world that we can accept responsibility for ourselves, for our own thoughts and actions. This is the essence of our identity and our maturity, and it is the foundation of our strength and our stature.

In displaying our identity to the world and to the Asia-Pacific region, again I wish to quote Senator Schacht, who said on the same occasion:

> We must remember that a majority of the countries of South-East Asia have all been through what they in their terms describe as an horrendous colonial period, in which Great Britain was the ultimate colonial power of them all. As a result, our Asian neighbours still have a confused view that, because of our Constitution and its monarchical structure, we are still linked to Great Britain.

Unfortunately, this taint still clings to us and we need to dispel it as quickly as possible. In coming to their independence, more than half the members of the Commonwealth of Nations (from 'B' for Bangladesh to 'Z' for Zimbabwe) chose to be republics and not recognise the Queen of Great Britain as their Head of State. The republics have, however, retained their membership of the Commonwealth of Nations, each having its own Head of State to speak for it. We, too, could remain a member of the Commonwealth of Nations and also become a republic.

In seeking our own identity, on the other hand, Australia should not be seen as a clone of the United States of America. That is unfortunately how a report in the *New York Times* depicted us. We are supposed to mirror the American way in politics, finance, debt induced bankruptcy, market turmoil, sport, Kentucky Fried Chicken, McDonald's and, particularly, television. Be that as it may, we still make our own choices of what we accept or reject, and what makes up our own peculiar elements in all these areas. We cling to knowing who we are, where we came from and where we are going. We are first and foremost Australians, I repeat for the fourth time.

Whenever we make assertions about who we are and what we are, we are making assertions also about how we should act and react amongst our neighbours and in the world. For this reason, we should act and react independently of outside pressures and influences which are not for our own good. At all costs, we must establish our own identity.

From the beginning of white settlement by the British, Australia mirrored the foreign policies of Britain. Britain's friends were our friends, and Britain's policies were our policies. Then came two dramatic changes: the Second World War and the European Common Market, and a new friend appeared—the United States of America. So, America's friends became Australia's friends, American foreign policy became Australian foreign policy: but with the twenty-first century just around the corner it is time to look at what has happened to Australia by way of its current population changes and ask: where do we go from here and what should our policies be?

What is good for today and in the decades ahead are closer links with our Asian and Pacific neighbours: not as a colonial arm of Britain, nor as economic raiders competing with the United States of America but as our own independent nation, neither superior nor inferior to any other State. To be an independent nation which has taken up its independence in maturity and in strength, we should shed the trappings and ties of being a monarchy and take on the independence of a republic.

Having said that, I am aware that there are a number of arguments for remaining a monarchy and, to me, only one seems persuasive, even though when thoroughly examined it can be challenged. The argument is that the monarchy appeals to the imagination and the emotions. The pomp and ceremony surrounding special occasions does have an appeal, and in Britain it is quite a tourist attraction: but that is no longer of help to us here in this country, with all due respect to Her Majesty the Queen and her undoubtedly hard working family.

Holding to traditions has an appeal to Australians also, but today, as always, the survival of the nation is driven by the economy. It is trade and not tradition, economy and not emotion, that guarantee our survival. The emotion that is generated by the traditions of the monarchy is centred on the Queen, who is at present our Head of State, and she, God save her, is thousands of kilometres away on the other side of the globe. We just do not need a Head of State who is non-resident to fire our emotions and appeal to our sentiments. This argument of appeal is much less persuasive when its hollowness is exposed.

Another argument often used is that the monarchy is politically neutral. It would be if the Crown were just a concept and not a real person, but, since the monarchy focuses on a person and that person occupies the office for life, then that person has a lot of power to influence policy. The monarchy may be non-Party political or neutral, or appear to be, but likes and dislikes of Parties and personalities could have a place in the mind of the Monarch, who is thus not politically neutral. To be politically neutral, in my view, the Monarch would have to hold no opinions, never seek to persuade, and initiate nothing. Who could respect a person so shallow?

Another argument, of course, is that the Monarch is a unifying and stabilising influence by being a symbol to his or her subjects. Focus on the symbols of the Monarchy is a focus on division rather than unity. The divisions that are symbolised are Royal privilege and wealth, status far beyond the reach of ordinary people who cannot in their lifetime aspire to such office and power, regardless of ability.

Our rejection of unity with the Crown can be seen in objections to the removal of Caroline Chisholm from the five dollar note to be replaced by the Queen on the uncertain grounds that the Queen always appears on the lowest denomination note. That is a rather shallow tradition. The response to the objection was that it would be too costly to re-do the work so the change would stand. It should be noted also that the response was not in favour of tradition but an economic response—so much for tradition.

Another argument for the monarchy is simply that it is there and it works. This is probably the only argument in favour of maintaining the monarchy. It has worked and has worked very well and it seems that the British monarchy will continue to work well for some time in the future. But looking back on the twentieth century, think of how many monarchs have tumbled from their thrones. The twentieth century has exposed some inherent weaknesses in this theory of government, for so many have failed. If Australia is to change to a republic, then it must be for some good reason and not on the whim of some philosophical theory or simply for the sake of change.

Since the Second World War, nations around the world have received their independence from colonial rule and the time was right for them to change to a new form of government, often the republican form, which was seen to be appropriate for them at that time. We are not at that

historic crossroad, but who knows what the next decade or so may hold for us in a fast changing world. Political changes, economic changes, passport and visa changes, and changes in ties and loyalties are all possibilities. Australia as a republic may not be far away.

Mr President, I now wish to present some arguments favouring the change to a republic. When the time is right, undoubtedly Australia will eventually become a republic. With the changes that have happened around the world and within the Commonwealth of Nations we need our own identity. We need it, not only abroad, but at home as well.

As I said, it is identity rather than the monarchy that will give us a unity. Our unity will give us a national cohesion while remaining multicultural. We will have unity in sameness and difference and in this way we can think of ourselves as Australians. If we think Australian, act Australian and, above all, are Australian, then we will come to see the need to effectively change our Constitution to be Australian.

What is a republic? In looking at the practical aspects of a republic, we know that a republic is a State whose head is not a monarch but generally a president, although this may not always be the case. A republic could indeed be called a representative democracy. The form of government in a republic is usually taken to be that of the United States of America where the President is the chief executive and the Head of State. As a practical form of government it has its weaknesses. To have legislation enacted by Congress, the President has to persuade Congress to introduce it, debate it and approve it. The will of the President is not automatically obeyed, as we note often in American politics. Legislation has failed to pass even when the President himself has appeared before a Senate committee to justify his reasons for requesting the law.

For all the praise for the checks and balances in the American system, another weakness is that the international commitments by the President have no certainty of being ratified by the legislature. This happened following the First World War when President Wilson could not bring the United States into the League of Nations because of obstruction by the Congress. On that occasion, had the United States of America had a seat in the League of Nations, we all may have been spared the Second World War.

Another problem that the President of the United States has to suffer is the veto by Congress of his choice of Ministers. We have seen this quite recently when the President could not get his first or even second choices of Minister. Thanks to our democracy, this could not happen under our present political system.

Australia could become a republic and not follow the Washington model. The chief executive could still be the Prime Minister sitting in the Lower House of Parliament, having his chosen Ministers to support him while the Head of State could be a person still occupying the office now called 'Governor-General'. If the term 'President' is used for the Head of State it could perhaps be confused with the President of the Senate. In this case, I venture to suggest that we should not abolish the name of Governor-General, who at present represents the person of the Queen. As a republic, the office and title could remain the same, but the Governor-General would represent the person of the people, embodying in the office the notion of the source of authority.

As the Head of State, the Governor-General would represent Australia to the world and the unity of our multicultural society in this country. Philosophically we need to read very little of the Constitution of Australia to see that the power of Parliament, the Government and the Governor-General are derived from the Monarch. This is quite a different concept from that of a republic, where the power to make laws, stabilise the economy and the society and ensure the happiness of the people is derived from the people themselves.

Sections 1, 2, 58, 59 and 60 refer clearly to the authority of the Queen. Section 61 is quite clear as to the Monarch's executive powers and provides:

> The executive power of the Commonwealth is vested in the Queen and is exercisable by the Governor-General as the Queen's representative . . .

In this day and age, there is great sentiment in knowing that the power of the State is derived from the people and is exercised by those elected by the people to represent them in the legislature rather than acknowledging the superiority of some privileged person who bestows power, even if that power is disposed constitutionally. The kind of republic that we may eventually adopt will perhaps depend on the causes and conditions prevailing at a time when we the people of this country decide to change the acknowledged source of power in our community.

From the composition of our society and when we look back over the past 200 years of European settlement, we can see, as the Prime Minister rightly observed in his speech at the launching of the National Agenda for a Multicultural Australia, that:

> Even as late as 1947, some 90 per cent of the Australian population was of Anglo-Celtic origin. This vast preponderance translated easily into cultural and social conformism. Our experience and tolerance of difference was limited—and we had practised a restrictive immigration policy to keep it so, a policy that had presented Australians to the world as an insulated, introverted people, unwilling to play a proper part in the affairs of the region or of the world.

This is one of the reasons why Australia has clung closely to the so-called mother country up to and following that time. The Prime Minister, in the same speech, also said:

> The demographic measure of our multicultural identity is that now less than half of the Australian population is of pure Anglo-Celtic descent, and a quarter of the population has no such ancestry. Australians today are drawn from some 140 countries around the world.

The makeup of our population is an indication of the slackening of our ties with Britain and the need for a new identity.

John Collins, in his book *Migrant Hands in a Distant Land*, a 1988 publication, makes a telling point when he observes:

> Australia is one of the most multicultural societies in the world today. . . one of the most remarkable features of Australia's rapid growth (in population) . . . is that it has been achieved without social turmoil. Fears of community conflict between the 'new Australians' and the 'old Australians' did not materialise.

While there were some objections when 'Balts', 'Dagoes' and 'Wogs' arrived in this country, it was soon recognised that they were people much like the rest of us, and as time has passed they have become part of the whole fabric of our multicultural community. We expect it to be so and, indeed, we would be the poorer today without their participation in and contribution to the social development of this country.

The more recent arrivals from the various parts of Asia have not gathered into ghettos, as expected; but, as soon as they can, they disperse among the rest of the community and are glad to do so. It is because of this mix of peoples from around the world that there is a drift away from regard for the British Crown, and I am sure that, on severing ties with the British and establishing our own identity as standing alone in the Asia-Pacific region, a majority would agree to it knowing that we lose nothing and certainly gain much.

Politically, I am aware that at the present time there are no immediate issues driving us towards becoming a repub-

lic. There is still considerable regard for the Queen as a person, and, should there be a need for support in time of crisis, I am absolutely certain that, as Australians, we would respond and do all that we could. We have no overt quarrel with the Crown or with the Parliament of Britain. But we have now grown to nationhood, proved ourselves in wars and development, and are now ready to assume our own identity, to stand alone and be proud to do so.

As regards the Constitution, I am sure in saying that, when it was originally drawn up, it was concerned mainly with the need for a united defence rather than a Constitution that would create and develop a modern nation State.

W. Harrison More, in his book on the Constitution, which was published in 1910, in effect, says that the term 'Kingdom of Australia' was not acceptable to another class who would see such a kingdom as a break-up of empire. It was Sir Henry Parkes who suggested 'Commonwealth of Australia' as his way of paying a tribute to the Commonwealth period of England. While this was not realised by the Constitution Committee of 1891 and did not indicate a leaning towards republicanism, Parkes no doubt had that secretly in mind when he suggested the title.

Professor Horne reports the opinion of Sir Ninian Stephen as follows:

> The idea of it being impractical to imagine Australia as a republic so gripped Sir Ninian's imagination that he said one reason was that it would require too many alterations to the Constitution.

We all know quite well how difficult it is under the rules of section 128 of the Constitution to effect a change to the Constitution. Professor Horne, speaking of the lack of readiness of the people to change the Constitution, expressed it as 'the inviolable apathy of the Australian people'.

That is an illustration by and an opinion of Professor Horne about the apathy of the Australian people, which is shown in a survey in which householders were asked, 'Are you in favour of proposed Constitution changes?' to which there was a definite 'No'. Asked, 'Do you know what the changes are?', there was the same impassioned 'No'. That shows what Professor Horne described as 'the inviolable apathy of the Australian people', for which I do not blame them. More often I believe it involves a lack of public debate and information on a matter of such importance as this one.

Section 128 of the Constitution makes it so difficult to update it that we need a radical break with the past and a new Constitution of our own making so as to create and develop Australia as a modern nation State. Becoming a republic will give us that opportunity to update the Constitution and perhaps achieve Sir Henry Parkes' secret dream which had no chance of coming into being with Federation.

At present there are a number of fundamental principles embodied in our Constitution, including representative government, federalism, an independent judiciary, judicial review of the validity of legislation and responsible government under the Crown. Of all the constitutional principles, the only part that I am told needs to be changed is 'under the Crown' in 'responsible Government under the Crown'. Then I believe we can be a republic. In becoming a republic we can take the opportunity to make other changes which are seen as important for better government but which, under the present system, are impossible to make.

I will give a few examples. The voting system needs to be reviewed so that representation can be maintained while the size of Parliament is not enlarged beyond reason. The right of the Head of State to veto the decision of Parliament also needs serious review.

The Federal Parliament should be able to make laws for the whole of Australia instead of having to resort to High Court interpretations and the invoking of the external affairs powers in order to exercise Federal power internally. Nowhere in the Constitution is there mention of the office of the Prime Minister, nor how the Government is to be formed. These, too, need to be written into the Constitution.

A Bill of Rights should be written into the Constitution, defining the freedom of expression, the press, assembly, religion, association and demonstration, the right to information and the protection from intrusion into one's privacy. The Constitution should contain the theory of the source of legitimacy of the Head of State, Parliament and the people, making it a democratic Constitution.

Another very important change to the Constitution is that which would clarify and define the role and powers of the Head of State. One of the principal motivations for becoming a republic is to resolve the problem surrounding the office of the Head of State in this country. It is generally accepted that, if we are to be, and are seen to be, an independent nation, we need our own undisputed Head of State and not a representative of a Head of State living in an overseas country and shared by other countries of the Commonwealth. This absence of the ultimate Head of State makes us seem to be—and, in fact, we are—a dependent State. When Her Majesty visits another Commonwealth country or a foreign country, she can be seen to speak for Australia as our Head of State, and what she has to say could well conflict with Australia's policies and interests. Therefore, Sir, you can see why we need our own Head of State.

What would also have to be decided is whether we have a formal or an executive Head of State. If we choose an executive Head of State, we would need to change our Constitution radically for doubtful benefits. The checks and balances could be a hindrance—an obstacle—to the smooth running of Government by being overprotective and open to bargaining. If we choose a formal Head of State we can continue with the system now in place.

The Executive is accountable to Parliament as a whole, and it can scrutinise and censure the Government. As the former Premier of South Australia, Mr Don Dunstan, says of the Head of State:

> The chief function of the Head of State is to ensure that the Executive acts only in accordance with the power and within the limits defined by the Constitution and by statute.

The checks and balances, taken with the right of judicial challenges, should be sufficient to ensure good government.

I turn to another question: should the Head of State be elected or appointed? If the Head of State is elected by the people, the office could well be subject to political manoeuvre, and politics, as you know, Sir, could taint the office.

The Hon. R.J. Ritson: But he would be subject to being dis-appointed by the Governor who appointed him, and that is another problem.

The Hon. M.S. FELEPPA: We should discover a better formula that would be by appointment and not by electing a member.

The Hon. R.J. Ritson: You would need a stronger Parliament; you would need to go to the American system of checks and balances.

The Hon. M.S. FELEPPA: There are many ways that one could be appointed but, in view of the time I have taken so far, I would not be able to explore those.

The Hon. R.J. Ritson: It is a huge subject.

The Hon. M.S. FELEPPA: Yes, and I appreciate the honourable member's interjection. If appointed by fair and equitable means, the Head of State would be, and would be seen to be, independent and beyond political influence, and this is necessary for a proper check on executive powers.

For the republic, the actual powers of the present Governor-General need also to be revised. Following the Kerr affair of 1975, the 1985 Brisbane session of the Constitution Convention resolved to adopt what is acceptable by convention and this, in my view and in the view of many others, is not entirely satisfactory. The powers of the Head of State need to be completely spelt out more clearly and should be part of the Constitution. In advancing to a republic, we as Australians will be able to do just that.

These and many other questions could be tackled in the change from the monarchy to a republic and, in the refining process, we will all benefit from such a process, the challenges and the result. I have briefly outlined some good reasons for changing peacefully from a monarchy to a republic. Before Australia becomes a republic, however, there will need to be wide-ranging debate to assess the general consensus. Throughout that process, first and foremost, we must symbolise and show our maturity as a nation by aspiring to a new Constitution and by becoming a republic.

The time is long overdue, and we will make the decision when we can see that the time is right and when it is clear that, as a nation, we have agreed to seek our identity; that there is a cause that impels us to make the move, for example, economic need; that the conditions at home and abroad are stable enough for us to carry through the change; and, finally, that there is a leader amongst us who has the vision, strength and determination to lead us into the Republic of Australia, dedicated to the Asia-Pacific region.

The Hon. CAROLYN PICKLES: I second the motion. The fundamental questions of equality between men and women and equity for workers with family responsibilities are ones which will continue into this decade. And, as the participation of women in the work force continues to rise sharply, the 1990s will have to provide answers to those questions, not only in the interests of fairness, but also for our national productivity and quality of life. Governments will no longer be able to ignore issues like work-based child care, paid and unpaid maternity and paternity leave, special family leave, skills training for workers while they are temporarily out of the work force having children, part-time work that can incorporate a promotional structure, job sharing, flexible working hours and who will care for our aged as the voluntary work force decreases.

Projections in this year's *Employment Outlook*, published in July, are that Australia's youth population will fall by more than 5 per cent this decade. In Australia in the 1990s, employers will no longer be able to rely on the 'guaranteed and growing' stream of flexible young school leavers to satisfy their labour demands.

This major demographic shift will mean that more women, and particularly mothers, will enter the work force not just because they will want to, or need to, but because they will be needed. As the makeup of our work force changes we will no longer be able to plan on the premise that the work force is predominantly male. In the past, the workplace has been structured as though workers did not have families or, if they did, there was a spouse at home to take care of all family matters. And in the immediate post war years that was probably the case as married women were largely excluded from the paid work force because, economically, industry did not need them. But, as the post-war baby boom generation turns grey and as improvements in contraception have led to lower birth rates over the past two decades, all that has changed.

Studies I have looked at show that the nature of the Australian work force has changed dramatically, yet the workplace is slowly cranking up to adjust. Driven by pragmatic rather than altruistic concerns, corporate Australia is beginning to notice this change and see the benefits of looking at the issue of meeting the needs of workers with family responsibilities. But they need support to do this.

South Australia's human resources represent our potential for a competitive edge. As a State with a growing reputation as the 'clever State', mainly because of the growth of technology and defence related industries, employers need to consider the whole pool of talents and skills in the community and in their work force. If they ignore the 50 per cent which is female, they risk losing their vital competitive edge.

One area where I see a need to nurture our human resources in order to obtain that competitive edge is in the field of engineering. It has been predicted that by the year 2000 Australia will need more than 95 000 engineers, yet only 1.5 per cent of Australia's 67 000 practising engineers are women. In 1975, just over 5 per cent of all engineering students were women. Fifteen years later, in 1990, that figure has risen to only 8 per cent.

It has been estimated that 6 000 jobs are advertised nationally each year for graduate engineers, but only 3 000 graduates are available to fill them. Australia's construction, chemical and electrical industries are short of engineers, and part of that deficit of engineers will have to be filled by women. We must respond to that need and work harder to promote engineering as a career possibility to schoolgirls. The institution of engineers has admitted that women must be encouraged to study engineering and that industry must be encouraged to accept them if Australia is to reach its full economic potential by the year 2000. I am able to report that some work has been done in this area, but obviously a lot more effort has to be made.

Female enrolments in engineering at Adelaide University are now rising 1.5 per cent a year and about 14 per cent of first year engineering students are now women. The breakdown of the total enrolments is as follows: in civil engineering 12 per cent are women; in chemical engineering 19 per cent are women; in mechanical engineering 10 per cent are women; and in electrical engineering 8 per cent are women. A new course within engineering, Computer Systems, has 16 per cent of women.

Yesterday a 'Women in Engineering Seminar' was held at Adelaide University and at the South Australian Institute of Technology in an effort to encourage more girls to study engineering. Women in Engineering is the focus of research by Adelaide University, Flinders University and SAIT and a research officer has been appointed. This research has been funded by the universities and by industry, and I commend these efforts.

Through the Employment and Training Division of TAFE (formerly the Office of Employment and Training) and the Department of Employment and TAFE, there are many initiatives underway to encourage girls and women into non-traditional areas of employment. Some of these include the Women in Engineering Program, the Trades Women on the Move Program, the Women for Technical Jobs Program and the Women in Trades Program.

The Hon. R.J. Ritson: You have to get to the schools.

The Hon. CAROLYN PICKLES: That interjection about having to get to the schools is quite right. If governments and employers fail to design innovative policies which will recognise workers with family responsibilities, they will find it increasingly difficult to attract people into the work force, particularly women who have children, elderly or sick relatives to care for. As the Director of the Equal Employment

Opportunity Council, Marguerite Howell, aptly put it two years ago:

> There is an increasing realisation on the part of companies that equal employment opportunity is timely, makes good business sense and will help Australia to fully utilise its most precious resource—its people.

More businesses are becoming concerned with problems that adversely affect productivity and are beginning to see the impact that family life can have on workplace efficiency and effectiveness. At the moment just over one in two married women are now in the labour force in Australia. This reflects the sharp rise in the female labour force participation rate which Australia has witnessed particularly during the past decade. Recent figures show that more than 100 000 women in South Australia joined the work force during the past 10 years. Between August 1988 and August 1989 women's employment in South Australia increased by 7.9 per cent. The number of women in full-time employment during that period increased by 5.7 per cent and in part-time work by 10.7 per cent.

During the nine-year period between 1980 and 1989 women's participation in the labour force in South Australia increased from 44.1 per cent to 51.6 per cent, with the number of women in full-time employment increasing by 19.6 per cent, and in part-time work by 56.9 per cent. Those figures indicate that it is clear that women are in the work force to stay, and so it is vital, not only for women but for men, children, employers and our local and national productivity, that we plan accordingly.

As workers with family responsibilities becomes the issue for the nineties, there will be increased pressure on governments and business to provide more child care places for working women. At the other end of the scale, the voluntary work force, which Australia so heavily depends on, will be reduced as more women enter the paid work force. We must also plan for this situation, because otherwise we will have problems finding people to care for the aged, many of whom currently look to relatives and friends in the voluntary work force to care for them at home and to other volunteer services like Meals on Wheels to help them out.

In March of this year Australia ratified the International Labour Organisation's Convention No. 156. ILO 156, of which South Australia is a signatory, deals with workers with family responsibilities and will come into force in Australia in March next year. The major emphasis of ILO 156 is for governments to move towards the goal of creating effective equality of opportunity and treatment for workers with family responsibilities. The convention places an essential obligation on governments to focus their responses to ILO 156 on the economic, industrial and social causes of inequality of opportunity and treatment of workers.

Three years ago, South Australia agreed to abide by that convention. Therefore, we must ensure that we set strong goals and guidelines in this State which address unfair employment policies and management practices that discriminate against workers with family responsibilities. We need to address specifically the issues of equal treatment of men and women in the work force who have family responsibilities. To do this, I suggest that perhaps this Government could set up a group of experts to monitor our progress on this issue. I suggest that this group could include the Women's Adviser to the Premier, the Working Womens' Centre, the Womens' Advisers Unit in the Department of Labour and other relevant bodies. This group could look at positive initiatives, including employer provided childcare, greater flexibility of working hours, a review of part-time work and how it can operate to be part of the promotional scheme, skills updates for women who have left work temporarily to have children, job sharing, paid maternity leave, paternity leave, special family leave, school holiday leave and maybe even flexible school hours.

We all know that South Australia has a history of being progressive and, with this in mind, we should again be setting the way in the area of positive reforms for workers with family responsibilities. We should be eager to take up this challenge and become the pioneers in the field and to place equal opportunity in the work force and equity for workers with family responsibilities high on our agendas. South Australia has been well-known for taking the lead with reform initiatives in many fields including the electoral system, administrative reorganisation, community welfare, industrial relations, the arts, urban planning, equal opportunities, consumer protection, education and the law. In many fields, the initiatives in South Australia have been followed by similar developments interstate.

Just to remind the Council of our proud and pioneering past, in 1894 we were the first State in Australia to give women the vote and, before that, in 1876, South Australia became the first State in the nation to accept women for university enrolment. In 1885 South Australia saw the first women graduate in the country. In South Australia we appointed the nation's first woman Supreme Court judge in 1965 and, later, the first female Chancellor of an Australian University. In the context of our background of progressive reform, the 1990s is no time to rest on our laurels and think we have done enough. We must continue to be progressive and lead the way.

The Bannon Government has done much work in addressing the issue of female equity in the work force and there is still more work to be done in the area of workers with family responsibilities. In December 1988 the State Government set up the Women's Employment Strategy, which aimed to advise the Government on major issues relating to women and employment; to improve South Australia's skills base by improving the level of female participation in the work force; and to address the current disadvantages and barriers experienced by women and girls entering and re-entering the work force. Out of that strategy came a package of exciting additional initiatives which cover award restructuring, work-related child care and women in engineering.

Under the Bannon Government, a range of activities is being undertaken in schools, which aim at increasing girls' access to and participation in industry. These include labour market awareness seminars and workshops; work experience programs in non-traditional areas; career education programs; maths, science and technology seminars; girls' leadership activities; and curriculum reform in mathematics and science.

Encouraging women to enter non-traditional occupations, ensuring that women are included in the promotional structure, and placing more value on the more traditional female occupations are all important in recognising workers with family responsibilities, because women are usually the ones who are discriminated against in those areas, since they are seen as the ones who leave the work force to have children. We are making considerable progress in this State, but more needs to be done, and that is why I am suggesting that a special group be set up to develop this State's approach to the whole issue of workers with family responsibilities, in keeping with ILO Convention No. 156.

Policies also need to be worked on which will enable people to reconcile the often conflicting demands of work and family. Virtually every worker—male and female—has family responsibilities, whether these involve children, the aged or other close relatives. There has been a dramatic increase in the number of dual-earning families and single-

parent families, where a single parent is the sole earner. As many employers are discovering, family matters are likely to be the underlying causes of absenteeism, on-the-job accidents and low productivity in the workplace.

In 1987, only 23 per cent of Australian families were made up of the so-called traditional nuclear family—of a breadwinner husband, a housewife, plus dependent children. Governments must recognise this fact and legislate and plan for the future in a way that is relevant to the real makeup of the majority of Australian families. I believe that the present Government has done so. For the majority of Australians, not only is family survival now dependent on more than one income but more women are wanting economic independence and personal fulfilment in the world of paid work.

Expectations are changing for men, too. Many men are now seeking a more satisfying balance between work and home life. More commonly, men, when faced with a choice, are preferring to miss a work meeting rather than the school play or sports day. Employers are also becoming aware of the impact family life can have on workplace efficiency.

Workers who are concerned about inadequate child care or worried about a sick child or their 'latchkey' children who come home to an empty house are less likely to concentrate on the job. These family situations can affect arrival times to work, days absent and productivity.

In 1989, 43 per cent of all women and 41 per cent of all men in the labour force had dependent children. Of these, 13 per cent of women and 17 per cent of men had children under four, and about 122 000 workers in Australia were the main carers for a severely handicapped person in their own home.

A national survey of the Australian corporate sector and its policies on child care this year revealed a dramatic shift in business attitudes. The study found that 45 per cent of private sector companies supported child care and were actively investigating available options. This sounds promising, but the survey (conducted by the independent Child Care at Work group and AGB McNair) also found that the private sector's response to the Federal Government's efforts to encourage business to back workplace-based child care, as part of the Federal Government's work-based child-care package, was slow.

Despite their interest in the issue of work-based child care, the survey found that only one per cent of the 183 companies surveyed had child-care schemes in operation. While the Federal Government is to be congratulated on its child-care package, business is still nervous about taking it up. However, this Government has shown its commitment to the Federal Government's Work-Based Child-Care Program. In March this year, the Bannon Government provided funding to the Children's Services Office for a senior project officer to provide support and advice to South Australian companies interested in setting up work-based child care under the Commonwealth program. Last week, that project officer advised me that 20 to 25 South Australian companies were looking at the program and four of those companies were serious about setting up a program.

There are genuine efficiencies for employers when work-based child care is used, including loss of absenteeism and greater productivity, and it has also been shown that women will return to work earlier when supports like employer-provided child care are in place. In many countries, employers have recognised the benefits of work-related child-care services. There has been the inducement of tax benefits. More than 3 500 major companies in the United States offer some form of child-care support for their employees. While, unlike Australia, the United States has virtually no subsidised community-based child care, Australia cannot boast the United States successes in work-related child care. Also, with the assistance of some tax deductions in the United States, a number of large employers offer their employees special leave to care for elderly and ill relatives. IBM and American Telephone and Telegraph even offer a computerised referral service that helps employees to find community care for their elderly parents anywhere in the country and then to keep in touch with these services.

European Government initiatives, particularly in Scandinavian countries, in providing paid and unpaid maternity, paternity and parental leave, child care, and sick child-care leave benefits have been held up as good models. In Sweden, parents with a child under the age of eight have the right to reduce their work hours to six hours a day or three-quarters of full-time with an accompanying loss of wages and are guaranteed return to a full-time position. These are the sort of initiatives, along with many others, that we could be examining.

I must mention here that the unions have been very active in addressing work and family issues. During the 1980s, the ACTU adopted an Action Program for Women Workers to promote child care, flexible working hours, paid maternity leave and various forms of parental leave. The recent decision handed down by the Australian Industrial Relations Commission on parental leave is an example of the ACTU's work to achieve greater equity for workers with family responsibilities.

The test case before the commission, which granted one year of unpaid leave for fathers up to the child's first birthday, reflects the important changes in Australian society, especially with the influx of women into the work force. In May last year the Women's Adviser's Unit in the South Australian Department of Labour released a discussion paper entitled 'Award Restructuring and Women Workers'.

That discussion paper shows that the needs of women workers must be taken into account in any award review and workplace reform. The award restructuring process is an opportunity to address and improve issues of gender inequality in the work force. Some of those equality issues mentioned in the paper include fundamental employment conditions such as leave for workers with family responsibilities, security and benefits for the part-time work force, provision for flexible working hours, greater women's participation in training, the creation of career paths for all workers and the improvement of women's participation in traditionally male occupations.

As I mentioned earlier, women are in the work force to stay, and as a Government we must continue to address the issues of inequality in employment. For this to happen, the process of award restructuring must be a success story for women. Governments and industry alike have to work together in order that this is achieved. Segregation of women in the work force is, unfortunately, still a reality for the majority of women. Despite higher female retention rates in schools and tertiary education, the overall pattern is that women continue to be markedly under-represented in technical and technological careers.

In August 1988, 54.9 per cent of women were employed as clerks, salespersons or professional service workers and of the 18.5 per cent of women in professional or para-professional occupations the majority were school teachers or registered nurses. Even in traditional female occupations, women are still predominantly under-represented in the management ranks. Part-time work is overwhelmingly done by women and although on one level part-time work is suitable for many women, the cost for many others can be lower earnings, poor conditions of employment including

lack of job security, no sick leave and superannuation, and a decrease in the number of full-time jobs.

Equal opportunity in the workplace will only be obtained when women can feel safe that they will not be penalised in the world of work because they have, or will later have, family responsibilities. Women's responsibility for child care is increasingly being perceived as one of the most fundamental factors—if not the most important—in affecting women's employment.

In 1987, United States researchers Kamerman and Kahn observed that '. . . society has changed, work has changed, families have changed, and the work force has changed; therefore, the workplace should change too'. We can no longer afford to give support to the myth of the separate worlds of work and family life. The increase in the number of women in the labour force and dual earning and single parent families has highlighted the need to re-evaluate social policies that are based on outdated assumptions of the workforce structure and family compositions.

The whole question of equal opportunity for workers and equity for workers with family responsibilities will be critical in the 1990s. If we respond to these issues in a positive way, there will be winners on all sides. Families will benefit from the improved mix of work and family life, women will benefit from equal opportunity, industry will benefit with a more satisfied and therefore productive work force and from the increased input from skilled women workers, and the Government will be satisfied in the knowledge that it has encouraged and instituted positive reforms that are relevant to South Australia.

It is interesting to note an article in the *Weekend Australian* of 4 and 5 August 1990, which stated:

> Despite the introduction of equal opportunity legislation following the historic equal pay decision handed down in 1972, Australian women claim to have strong grounds for complaint before the National Wage Case hearing in Melbourne next month.

Figures which were released last week reveal that the average national wage for males was more than $600 a week compared with $435 for females. This evidence of continuing disparity has motivated the Australian Federation of Business and Professional Women to apply for the first time to intervene in a national wage case since the 1972 decision. The article quoted the AFBPW president, Ms Myrtle Green, who said that 'the equal pay for equal work decision has not translated into women's paypackets'. I will be interested to follow the proceedings of this hearing.

It is obvious that we have gone a long way with State and Federal legislation to bring about equity in the workplace for women workers, but there is a lot of work still to be done.

The Hon. R.I. LUCAS secured the adjournment of the debate.

SESSIONAL COMMITTEES

The House of Assembly notified its appointment of sessional committees.

ADJOURNMENT

At 5.11 p.m. the Council adjourned until Wednesday 8 August at 2.15 p.m.