LEGISLATIVE COUNCIL

Wednesday 12 August 1992

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

TEUSNER, Hon. B.H., DEATH

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

That the Legislative Council expresses its deep regret at the recent death of the Hon. B.H. Teusner, CMG, former member and Speaker of the House of Assembly and places on record its appreciation of his distinguished public service and that, as a mark of respect to his memory, the sitting of the Council be suspended until the ringing of the bells.

The Hon. Bert Teusner was a member of this Parliament, representing the House of Assembly seat of Angas from 1944 until 1970. He was born at Rosedale, South Australia, in 1907 and was educated at Tanunda school, Gawler High School, Immanuel College and the University of Adelaide. Mr Tuesner practised as a solicitor from 1932 and was a member, and subsequently Chairman, of the Tanunda District Council during the period 1936 to 1956. He was also Chairman of the Adelaide University, Royal Adelaide and Queen Elizabeth Hospitals Advisory Committees and member of the Board of Governors of the Botanic Gardens.

Mr Teusner was Government Whip in 1954 and Chairman of Committees during the periods 1955 to 1956, 1962 to 1965 and 1968 to 1970. He was Speaker of the House of Assembly from 1956 until 1962. He was a member of the Parliamentary Joint Committee on Subordinate Legislation during the periods 1950 to 1955 and 1968 to 1970. He was Government representative on the South Australian National Fitness Council.

Mr Teusner was awarded a CMG on 1 January 1972 for his service to the Parliament and the community, which I am sure all honourable members will agree was a long and distinguished period of service to our State. Mr Teusner gave distinguished service to the South Australian community and I ask all honourable members to join with me in expressing our condolences to his family.

The Hon. R.I. LUCAS (Leader of the Opposition): On behalf of Liberal members in this Chamber, I rise to support the condolence motion and indeed to support the remarks made by the Attorney-General. Although I did not know Bert Teusner personally, I am told that as the Liberal member for Angas and as Speaker he represented both his constituents and members of this Parliament, in particular the House of Assembly, with distinction. He provided a strong voice in his electorate and worked tirelessly for the community, particularly to help upgrade the area's schools and roads. Indeed, a look at his contributions in the parliament reflects the very strong emphasis that Mr Teusner placed on the importance of education and, in particular, the importance of education for rural constituents. My former colleague, the Hon. Roger Goldsworthy, who succeeded Bert Teusner in that electorate, said of his predecessor in his maiden speech:

Bert Teusner is a thorough gentleman. I have never heard anyone refer to him in any other way.

As the President would know, it is not easy running the gauntlet of one's colleagues and being a Presiding Officer in a parliamentary Chamber. However, I am assured that, as Speaker, Mr Teusner controlled the House with true dignity and professionalism. My thoughts at this time are with his children Terence, Janet, Roger and Myrene and grandchildren Andrew, Michale, Maria, Annabel, Catharine, Elisabeth and Randall and great-grandchildren Lyndal, Melinda and Adam.

The Hon. J.C. BURDETT: I support the motion, and I support the remarks made by the honourable Attorney and the Hon. Rob Lucas. I did know Bert Teusner reasonably well. He ran a country practice as a solicitor—one which bordered on mine. I practised at Mannum and he practised in the Barossa Valley, and we had considerable contact in that regard. I always had the highest regard for him. I certainly support what the Hon. Mr Lucas has said about his being a thorough gentleman.

I also support what has been said with regard to his parliamentary service, particularly as Speaker. I recall that, when Mr Aub Dodd retired as Clerk of the House of Assembly, at his farewell function he made a run-down of the various Speakers under whom he had served, and when he came to the late Bert Teusner, he said that was the best Speaker he had served under: Bert Teusner knew almost as much as a Clerk! The late Bert Teusner was very highly respected in his function as Speaker of the House of Assembly, and I certainly join in the motion and extend my sympathy to his family.

The PRESIDENT: I would ask honourable members to stand in their places and carry the motion in silence.

Motion carried by members standing in their places in silence.

[*Sitting suspended from 2.23 to 2.34 p.m.*]

QUESTIONS

REI BUILDING SOCIETY

The Hon. R.I. LUCAS: I seek leave to make an explanation before asking the Attorney-General a question about the REI Building Society.

Leave granted.

The Hon. R.I. LUCAS: I refer to an article in the business pages of the *Advertiser* of 9 July 1992 headed 'No Light on REI Fiasco'. The article reported that shareholders in the former REI Building Society, which folded in 1991 and subsequently merged with the Co-op Building Society, would obtain no further return on their investment.

The article went on to say that the shareholders (and there are about 1 000 of them) might never find out what went wrong with the REI Building Society. The collapse of the REI followed the evaporation of more than half of the society's tangible assets, crashing from $11.3 million to about $4 million in the 12 months to August 1991, and then a $2 million run on wholesale deposits.

The *Advertiser* article reported that, while a full report on the final valuation of the REI had been given to the Corporate Affairs Commission, it was not available to the

public. Also, the CAC was investigating the REI collapse and was not planning to release a formal report. The CAC, however, would make recommendations to the Attorney-General's office if it believed any legal action was necessary.

By way of background, it is worth recalling that the REI Building Society's Managing Director, Mr Peter Parry, resigned in June 1991, a day after his board advised him an inquiry had begun into discrepancies in the accounts. The announcement of the inquiry hastened the withdrawal of funds by REI depositors and, a week later, a merger with the Co-op was announced following approval by the Attorney-General.

The merger of the two institutions reportedly created Australia's third largest building society with assets of more than $1 250 million. At the time of the announced merger the Co-op said REI shareholders would receive a two-part share issue in Co-op Building Society permanent shares. The first issue paid in September 1991 was to be on a basis of 71.5 Co-op shares for every 1 000 in the REI. The second issue was planned for 30 June this year. However, the Co-op has since advised former REI shareholders that they will get no further return as the REI basically had no net assets. It is worth noting that the Co-op itself lost money as a shareholder in the REI Building Society. My questions to the Attorney-General are as follows:

1. What was the Attorney-General's role in the decision to merge the REI and Co-op Building Societies, and what were the terms of the approval the Attorney gave for the merger of the two societies?

2. Has the Attorney-General received the Corporate Affairs Commission's report on its investigations into the collapse of the REI Building Society and, if so, has the commission recommended, and does the Attorney support, legal action being taken over the collapse?

3. Does the Attorney believe that former REI Building Society shareholders should be furnished with details of what went wrong with the society and, if so, will he approve the release of information supplied to the CAC, and also that accumulated by its own investigations into the collapse and, if not, why not?

The Hon. C.J. SUMNER: This merger occurred some considerable time ago, and I will have to get the information requested by the honourable member and bring back a reply. Suffice to say that I believe that the merger of the REI with the Co-op was the only viable option for the REI Building Society, and that is what occurred. However, the honourable member has asked some detailed questions to which I will seek answers.

COURT PENALTIES

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

Leave granted.

The Hon. K.T. GRIFFIN: I have only recently been informed of some community and police concern about a case that occurred in the Clare Children's Court on 16 February 1992. It involved a 16-year-old, who appeared before Mr J. Harry, SM, on a charge of driving under the influence of alcohol with a blood alcohol reading of .15 per cent. That young offender was also charged with breaching the conditions of his probationary licence.

The youth was fined $200 and his driver's licence was suspended for a period of three months. In each of those two matters the magistrate did not record a conviction. On the same date, that is, 16 February, the child appeared on a charge of driving in a manner dangerous to the public and on other charges and was once again fined, but this time an amount of $100, without recording a conviction. His driver's licence was suspended for one month, to be cumulative with the driving under the influence penalty, making a total suspension of four months.

I understand that the Motor Registration Division takes the view that it cannot take any action to disqualify the probationary licence, as the court did not record a conviction. The point was made to me that, if any person is stopped by a police officer and cannot produce his or her probationary licence on demand, which of course is one of the conditions of a probationary licence, then a traffic infringement notice for I think it is $45 is issued and that person has his or her probationary licence automatically suspended for six months.

I am told that this particular 16-year-old was a serious offender and was known to laugh at the end results of the penalties imposed on him; he did not, in the opinion of police, learn from the penalty. At the February date there were at least nine other charges pending in addition to the child being required for interview on at least two other matters.

The concern was expressed that there was considerable inequity in that a person can commit two very serious road traffic offences and, if a conviction is not recorded, receives only a small licence suspension and fine, yet if a person commits a minor breach of the Motor Vehicles Act, such as failing to carry the probationary licence, then the licence suspension occurs for six months. My question to the Attorney-General is whether he will investigate not just this particular case, but the issue generally, to ascertain whether or not there is a loophole in the law which allows the sort of serious cases to which I have referred to go relatively unpunished and minor cases to attract the stiffer penalty. Would he also inform the Council as to whether or not, after that investigation, the Government intends to address the issue, particularly in respect of the view of the Motor Registration Division that it feels unable to disqualify the licence unless a conviction is recorded?

The Hon. C.J. SUMNER: It appears there may be a defect in the law passed by the Parliament, including the Legislative Council, with the assistance of the honourable member, but I cannot say whether or not that is the case without having the matter inquired into. As to the particular facts of this case, I will refer the matter to the police for a report. I will examine the assertions made by the honourable member about the possible defect in the law and bring back a reply.

TRAVEL CONCESSIONS

The Hon. DIANA LAIDLAW: I seek leave to make an explanation before asking the Minister representing the Minister of Transport a question about travel concessions for the unemployed.

Leave granted.

The Hon. DIANA LAIDLAW: The figures indicate that 11.5 per cent of South Australians are registered as unemployed. If a person is unemployed, he or she is entitled to travel at a concession fare, which is 50 per cent of the full adult fare, if they live in the Adelaide area that is served by the STA, or if they live in one of six regional cities served by subsidised buses—Port Lincoln, Port Augusta, Port Pirie, Mount Gambier, Murray Bridge and Whyalla.

However, if an unemployed person lives anywhere else in South Australia that lies beyond the reach of the STA or regional city services, they are not eligible to travel at a reduced fare even if that travel is associated with seeking work or reporting to CES and social security offices. Therefore, unlike their counterparts in the Adelaide area, or in these six cities, they not only have to contend with the tyranny of distance factor but they are also confronted with an additional financial burden, being required to travel at their own expense not at half fare. In 1990-91 Government reimbursements to cover the cost of fare concessions for unemployed people and their dependent spouses amounted to $2.5 million. My questions are:

1. Why is the Government applying a discriminatory policy in respect to bus fares for unemployed people based on whether they live in the Adelaide metropolitan area, one of these six regional areas or beyond the reach of these subsidised services?

2. On the grounds of equity and social justice, will the Minister investigate as a matter of urgency the feasibility and cost of extending the same travel concessions that apply on the STA and regional city bus services to all unemployed people who live in the Adelaide Hills, the Barossa and other country areas of the State served by licensed bus operators, or at the very least investigate the feasibility and cost of extending to unemployed people based in these areas benefits when their travel is related to seeking work or reporting to Commonwealth agencies?

The Hon. ANNE LEVY: I am glad that the Hon. Ms Laidlaw had time to finish the question today. I hope she will also have time to get the reply which is available for her today.

The Hon. Diana Laidlaw: To a question asked yesterday?

The Hon. ANNE LEVY: Yes. I will refer the question she has just asked to my colleague in another place and bring back a reply as soon as possible. I do not promise that it will be tomorrow, though.

TRAM BARN

The Hon. I. GILFILLAN: I seek leave to make an explanation before asking the Minister for the Arts and Cultural Heritage a question about tram barn A at Hackney.

Leave granted.

The Hon. I. GILFILLAN: This morning, the news broke that the Government had changed its mind regarding the retention of the old tram barn on the Hackney bus depot site. On the Keith Conlon ABC program this morning, the Minister for Environment and Planning announced this dramatic change in undertaking by the Government. Other opinions were expressed by people interested in the issue, including Labor Senator Chris Schacht who, when representing the Prime Minister at the opening of the rain forest conservatory, indicated that the old bus depot at Hackney would be cleared and the site used for open green space. That proposal was welcomed enthusiastically by what he estimated as 600 people who attended the opening. He has expressed his surprise and, I would say that it is not stretching it too far to say his outrage at the change of attitude by the Labor Government.

Dr Chris Laurie, the Chairman of the Botanic Gardens Board, was also stunned and disappointed at the news. Mr Marron, the architect of the conservatory, and the Chairman of the Architects Society also publicly indicated their disappointment. So, the Minister for Environment and Planning, after hearing some comments, came back and said that in the Government's mind the uses of the barn to be retained would be decided in consultation with her colleague the Minister for the Arts and Cultural Heritage.

As members would realise, that puts a very interesting and significant task before the Minister for the Arts and Cultural Heritage, so I would like to ask her: what discussions has she had regarding possible uses of the old tram barn? What type of use would she recommend or support?

Finally, does the Minister believe there are any uses that will honour the promise which the Premier made in 1985 and which was reiterated by the Minister for Environment and Planning on frequent subsequent occasions, to return the area to parklands?

The Hon. ANNE LEVY: Mr President, that is a very interesting question indeed from the honourable member, who at various stages has indicated his support for a return of all parkland areas to grass and other such parkland use, and yet a fortnight ago decided that the tram barn running shed A should be retained.

The Hon. I. Gilfillan: That is totally wrong. I have never ever indicated that at any time. Let that be absolutely clear.

The Hon. ANNE LEVY: My apologies if the honourable member did not make such a statement; it was reported on radio that he had made it, but obviously the media has again got Mr Gilfillan's comments wrong. The decision of the Government to retain the tram barn was announced yesterday by my colleague in another place. The decision is to retain the building and put it under the care and control of the board of the Botanic Gardens, and it is the board who will decide the future use of the building, in consultation with me. It is not for me to decide the use. That is for the board, which will have the care and control of running shed A. But its future use will be determined in consultation with me as Minister for the Arts and Cultural Heritage.

I have certainly not yet had any discussions with the board. I am sure the board will want time to consider their views before approaching me for consultation. I will be delighted to have such consultation with them when they are ready to request it. I have no firm views on the type of use to which the barn could be put. There are obviously many and varied uses, which have been suggested in the media, coming from various sources, though I appreciate that the media may have misquoted people. Certainly, though, numerous uses have been suggested. I

am sure the Botanic Gardens board will want to give consideration to those suggestions that have been floated, and to others.

As far as returning the area to parklands is concerned, there is a large area there, as I am sure anyone who has examined the area or seen the plans or diagrams of the area will realise, and the retention of the Goodman Building and of running shed A is maintaining buildings on a very small portion only of the total area there, and certainly the Botanic Gardens board, as I understand it, intends to develop all that area in a manner fitting the nearby conservatory. Though they may decide to alter their plans in the light of the Government's decision they will certainly not resile from removing all that unsightly bitumen and restoring the area to gardens or parklands, whatever one chooses to call it, in sympathy with the conservatory building. I am also interested in the comments made by the honourable member concerning comments from several people regarding the conservatory building and the approaches to it in relation to tram barn A. I personally have had discussions with at least one of the people he has mentioned—

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: I have personally had discussions with at least one of the people that the honourable member has mentioned and his comments to me were certainly not in the vein that the Hon. Mr Gilfillan has quoted. It may again be misreporting by the media of what someone has said or it may be a misunderstanding on the part of the Hon. Mr Gilfillan or myself. But I assure the Council that certainly my understanding, from at least one of those people, was totally different from that reported by the Hon. Mr Gilfillan.

The Hon. I. GILFILLAN: I ask a supplementary question: can the Minister give an indication whether she would support the use of the barn as a museum for horse-drawn vehicles, with those horse-drawn vehicles being used to take passengers around the area?

The Hon. ANNE LEVY: I do not in any way wish to pre-empt any decisions, discussions or plans that the board of the Botanic Gardens may be undertaking. The idea of a horse-drawn museum is certainly one that has been floated in the press, but as I understand it the National Trust was quite adamant that its support for retention of the running shed A was separate from the question of a museum for its horse-drawn vehicle collection, that in their view, as it is in the Government's view, one matter could be considered without necessarily making decisions on the other proposal. I in no way want to pre-empt what the Botanic Gardens board feels is appropriate. I look forward to having consultation with them. I think it would be quite inappropriate for me to indicate views in Parliament, when the responsibility for the care and control of the shed lies with the board of the Botanic Gardens.

PARKING REGULATIONS

The Hon. J.C. IRWIN: I seek leave to make an explanation before asking the Minister for Local Government Relations a question about parking regulations.

Leave granted.

The Hon. J.C. IRWIN: I refer to the answer given last Thursday to two questions that I had asked prior to the winter recess. I am amazed at the innovation of the Minister, or whoever writes the answers. Around Adelaide Show time last year, after the gazettal of the new parking regulations, incorporating as they do new Australian Standards, I asked a question relating to whether there had been a request to suspend the regulations. In her answer the Minister said:

> I do not recall any submission specifically stating that the Royal Show was the reason for this. As I understand it, some councils wanted time to use all of these parking tickets before having to have new tickets printed. However, the decision to proclaim the new regulations as from 5 August was taken a long time ago. Councils had at least three months warning that 5 August was the date on which new regulations would come into effect.

In the Minister's answer received on Thursday to a question relating, in part, to the Adelaide City Council's issuing out-of-date reminder notices, the Minister said:

> I understand that the council issues between 3 000 and 5 000 Final Advices each week. With such a volume it is not possible to order at short notice, nor is it viable for the council to purchase such a large quantity without some degree of certainty . . .

Some three months prior to 5 August 1991 can hardly be deemed to be 'at short notice'. From June to February, at the time just before I asked the question, is 10 months, and at an average of 4 000 tickets per week that would calculate out to 160 000 final notices being issued. Someone is pulling someone's leg, and it makes a mockery of the proper application of the parking regulations.

It is true that one reason for the Opposition's not proceeding with the disallowance of the parking regulations last year was that the Local Government Services Bureau would hold a meeting to discuss parking matters and that the Local Government Association would convene a seminar of councils. I know that these meetings were held, but I advise the Minister again that many councils, including some large regional councils, still do not have parking registers and do not know they must have them. The Minister has previously stated that she has no responsibility for parking or the regulations. Who does administer the parking regulations; is it intended that this responsibility be transferred to the Minister of Transport; and will the Minister ensure that every council is complying with the Local Government Act?

The Hon. ANNE LEVY: The honourable member may not yet be aware that there is a new relationship between State and local government. Certainly, State Government makes the laws, because only we have the power and responsibility to do so. Certainly, also, through its many agencies, the State Government has a responsibility to see that the law is upheld. However, the Local Government Association and local government in general are assuming far more responsibility for their affairs. They are undertaking self management and are recognised as being far more autonomous than they have been previously. As the honourable member indicated, there have been seminars on parking regulations. There were meetings to which the Hon. Mr Irwin was invited—

The Hon. J.C. Irwin: I was not invited.

The Hon. ANNE LEVY: I am sorry; I thought you were going to be.

The Hon. J.C. Irwin: No; I gave the names of people to issue themselves.

The Hon. ANNE LEVY: My apologies: I thought the honourable member was being invited and, certainly, these meetings have been held and considerable discussion has ensued with the Local Government Association and various councils. The Local Government Association is the body that has the responsibility for liaising with the 119 different councils in this State. I am sure they have done so regarding parking matters, as they have on many other matters. However, I will draw the honourable member's question to their attention and point out to them that the Hon. Mr Irwin obviously feels that they have not yet got the message through to some of their constituent councils regarding the new legislation. I point out to the honourable member that ignorance is no excuse where the law is concerned, and this applies to local government as well as to any other organisation or person in the community. However, I will certainly take up the matter if the honourable member feels there are deficiencies, and request the Local Government Association to remind its constituent members again of their obligations under the laws of the State.

PUBLIC SECTOR APPOINTMENTS

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Attorney-General a question about the appointment of the Clerk of the Legislative Council.

Leave granted.

The Hon. L.H. DAVIS: My colleague, the Hon. Robert Lucas, recently received a copy of a letter from the Acting Premier, Hon. Don Hopgood, addressed to the President of the Legislative Council, the Hon. Gordon Bruce. The letter said in part:

> . . . recently the appointment of Ms Jan Davis as Clerk of the Legislative Council was approved by the Governor in Executive Council. While Ms Davis was obviously pre-eminently suitable and qualified for the position and no-one could reasonably argue with this appointment, I have been asked by Cabinet to raise with you . . . the procedures adopted for the appointment of officers and other employees in the Parliament.
>
> While it is a matter for Parliament to decide, selection procedures should be such as to ensure that appointments are based on principles of merit. Normal procedures should occur such as advertising within Parliament, the Public Service and in relation to the most senior positions generally throughout the State and nationally.

I do not think there would be any member of the Legislative Council who did not believe that Ms Jan Davis was uniquely qualified for the very specialist position as Clerk of the Legislative Council. Her experience as Black Rod, her fairness and professionalism are respected by members from all Parties.

The letter from Dr Don Hopgood telling the Parliament how to proceed to selection of officers is effectively an act of Executive impertinence. Surely it is not for the Executive, the Cabinet, to tell Parliament what to do. What makes Dr Hopgood's letter even more bizarre is the fact that the Government has on many occasions proceeded to appoint people who were not uniquely qualified to positions of importance within the public sector, and many appointments to very senior positions have been without any advertising whatsoever, or very limited advertising.

I refer to the appointment not so long ago of Mr Peter Tregilgas as the Chief Executive Officer of the Tandanya Aboriginal Cultural Institute. I attacked that appointment in this Chamber at the time on the grounds that it had not been advertised. The Attorney-General will remember that an inquiry into the financial affairs and management of Tandanya revealed a $300 000 loss, and Mr Tregilgas was severely reprimanded in that report for acting without authority and racking up many of the losses which taxpayers of South Australia have had to bear.

More recently, we saw the appointment of Ms Denzil O'Brien as Director of Carrick Hill. This position was only advertised internally in the Department for the Arts and Cultural Heritage. Not surprisingly, the appointment attracted outrage and was widely criticised by people in the arts community who believed that the position should have been advertised outside the Public Service and certainly not just within one department. It was very much seen by key people in the Arts community as a job for the girls. Although Ms O'Brien was described as having a strong personal interest in the arts and heritage issues, I can never recollect seeing Ms O'Brien at an arts function or event. My questions to the Attorney are:

1. Does the Attorney-General accept that Dr Hopgood's letter to the President and other leaders of the Legislative Council could be construed as an unwarranted interference by the Executive in the appointment of parliamentary staff?

2. If Cabinet does have a strong view on selection procedures for persons within the public sector, why do they not practise what they preach?

The Hon. C.J. SUMNER: The answer to the first question is clearly 'No'. The Acting Premier and the Government are entitled to put to the Parliament their view about the appointment of officers of the Parliament, and it is of course a matter for Parliament to determine how they go about those appointments. What I am suggesting, and what the Government is suggesting to the Houses (and I would have thought the honourable member would have agreed with this) is that those appointments should be on the basis of merit, after a proper selection procedure, including advertising the positions. That does not seem to be unreasonable; that is the practice throughout the Public Service in South Australia, except in—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.J. SUMNER: —some circumstances where it may involve redeployees—people whose jobs have been abolished or who no longer have a position.

The Hon. L.H. Davis interjecting:

The Hon. C.J. SUMNER: I do not know whether Denzil O'Brien fell into that category; I will not answer questions about particular individuals the circumstances regarding whom are within another Minister's portfolio. However, there are circumstances where redeployees have to be found positions, and I am sure the honourable member would not want the Government to have on its books people being paid for doing nothing when—

The Hon. L.H. Davis interjecting:

The Hon. C.J. SUMNER: What is going on, Mr President?

The PRESIDENT: Order!

The Hon. C.J. SUMNER: I am sure the honourable member would not want public servants who had been redeployed sitting around doing nothing, being paid by the taxpayers, when other positions might be available for them to be put in. There are occasionally exceptions made at the chief executive officer level.

The Hon. L.H. Davis: Mates.

The Hon. C.J. SUMNER: That is just nonsense, and the Hon. Mr Davis knows that that is absolute nonsense. The reality is that there are generally accepted employment practices and procedures established for the public sector, and they generally involve advertising either within the Public Service, sometimes with the Public Service and statutory authorities, and for more senior positions advertising in the State press or in the national press. It seems to the Government that those procedures, in general principle, should apply to the appointment of the officers of the Parliament.

Obviously the Clerk and Black Rod positions are senior appointments, and the Government is just making a statement of the principles that should apply. If Parliament determines not to apply them that is a matter for the Parliament. I would not think it was setting a particularly good example, but there we are. It is a matter for the Parliament to determine. Whatever selection procedure the Parliament wants to set up is a matter for the Parliament.

The Government was not saying that a particular procedure should be followed to select officers of the Council; it was just saying that in its view—and it is a view that I fully support—the procedures should normally involve advertising, particularly for the senior position, in the national and State press, advertising for other positions and a selection procedure which involves appointment based on merit. Obviously, any prior service in Parliament House would be a significant factor to be taken into account in any selection procedure. That is the Government's view. If the Parliament wants to adopt those procedures, that is a matter for the Parliament. We believe it should; if it does not, well that is too bad.

FISHERIES LICENCES

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister representing the Minister of Fisheries a question about the commercial fishery in Cooper Creek.

Leave granted.

The Hon. M.J. ELLIOTT: Earlier this year I asked in this place a question in relation to the commercial fishery at Cooper Creek. Cooper Creek is one of the State's most important environmental assets and is considered by many to be under threat from commercial fishing.

In December last year the Fisheries Minister, Lynn Arnold, approved the taking of fish for commercial purposes from waterholes in the Cooper Creek system. In March this year a licence to that effect was granted under the Fisheries Act. The licence comprises Lake Hope and the surrounding wetlands which are included within the 1971 Ramsar Convention of Wetlands of International Importance. The Director and senior scientific officials of the Minister's own department opposed the issuance of the licence.

Information which I obtained under the Freedom of Information Act reveals that the Director of Fisheries, Rob Lewis, advised the Minister in a letter dated 22 November 1991 that the licence should not be issued as it 'would not be consistent with the objectives of the Fisheries Act which require proper conservation and management measures to be applied to the State's fisheries resources'.

In another letter Mr Lewis made a number of recommendations. He recommended that a sustainable fisheries management policy should be developed for the Lake Eyre Basin, addressing both commercial and recreational access issues. He recommended that Mr Overton's fishing proposal be denied pending preparation of a more comprehensive policy as originally proposed. He also recommended that the South Australian National Parks and Wildlife Service and other interested parties be approached for policy advice, given the direct implications of commercial fish harvests on fish and other native animal stocks within the Innamincka Regional Reserve.

I have a letter from Mr Lindsay Best, the Chief Wildlife Officer of the Biological Conservation Branch within the National Parks and Wildlife Service, attached to which is a letter from the Senior Environmental Officer that states:

> To approve a commercial fishing operation without appropriate data and management considerations is irresponsible and not in accord with sound resource management practices. Rather than support further exploitation of the area's resources, the Government should be developing systems that ensure long-term maintenance of the resource base. In addition, the international significance of the area could allow Federal Government involvement if inappropriate management practices were approved.

I also have a series of correspondence from the University of Adelaide, from a Mr Puckridge, a Dr Walker and a Ms Sheldon, who are the scientific experts in South Australia on those waters in relation to fisheries. They know as much as anyone about them, and they also have very strongly opposed the granting of a licence. In other words, all the advice that was given to the Minister in relation to the granting of the licence was that a licence should not be granted.

In addition, the Minister of Fisheries exempted the licence applicant from regulations under the Fisheries Act which require that such a licence should be submitted to public tender. It should be noted that SAFIC believes that people holding other licences and who had been pushed out should have been granted a licence if one was to be granted.

The Minister responded to expressions of concern that were raised by the public by assuring them that the licence was granted with restrictive conditions. These conditions include that the licence applies only to specified waters. Also, the Minister has given assurance that fishing operations in the area will be strictly monitored for their environmental effects as well as to ensure that conditions are being complied with.

However, the Director of Fisheries commented in a letter dated 19 February 1992 that because of the size of the area and the likely unpredictability of fishing activity, the department is unlikely to be able to conduct checking on compliance with the terms and conditions of the licence (for example, to check which waters are fished). In the same letter the Director admitted that 'the department's capacity to physically watch or supervise fishing

operations is severely limited by budget constraints and the distance involved in reaching the property and gaining access to the waters concerned'.

In this morning's *Advertiser* Mr Arnold, when responding to concerns, claimed that the application for the licence was received before legislation was in place to impose limits on commercial access. However, approval to fish was given by the Pastoral Board before the licence was ever granted under the Fisheries Act. In answer to my question of 18 February this year the Minister for Environment and Planning made it clear that the Pastoral Board, in approving the fishing, acted on Mr Arnold's recommendation. The Fisheries Act on which Mr Arnold justifies his decision was therefore not originally at issue. I seek leave to table the correspondence to which I have referred in asking my question.

Leave granted.

The Hon. M.J. ELLIOTT: My questions are as follows:

1. Considering all the information obtained under freedom of information which clearly indicates that all expert opinion opposed the proposed fishing, on what basis was the decision to give approval to fish and subsequently to grant the licence made?

2. Did the Minister of Fisheries mislead the public by giving assurances about licence conditions that he knew could not be kept and monitored?

3. I understand that four applications are pending for commercial licences in the Cooper Creek system. Will the Minister confirm that this is the case and also inform this place whether there will be a moratorium on the further granting of such licences?

4. When will the management policy, which was mentioned by the Director of Fisheries, be completed?

The Hon. BARBARA WIESE: I think that the honourable member might have received answers to these questions if he had read yesterday's *Hansard* for the House of Assembly. However, I am sure that the Minister of Fisheries will be able to repeat his responses to a similar question in another place for the benefit of the honourable member if he is too lazy to read *Hansard.*

STATE GOVERNMENT INSURANCE COMMISSION

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Attorney-General representing the Treasurer a question about SGIC.

Leave granted.

The Hon. J.F. STEFANI: SGIC is a general insurer which provides a range of services and is involved in other investment activities. As part of its operation, SGIC provides insurance underwriting to other insurers. My questions are:

1. Was SGIC involved in underwriting any insurance which may have resulted in a claim from the Newcastle earthquake?

2. If so, what was the amount of the claims against SGIC as a result of the earthquake?

3. Can the Treasurer advise whether SGIC was involved in property deals in Western Australia and, if so, what was the profit or loss which resulted from any transaction or investments involving such properties?

The Hon. C.J. SUMNER: I will try to get that information.

MEDICAL SERVICES

The Hon. BERNICE PFITZNER: I seek leave to make a brief explanation before asking the Minister representing the Minister of Health a question about medical rehabilitation services in the western metropolitan region.

Leave granted.

The Hon. BERNICE PFITZNER: A review of the medical rehabilitation services in 1991 by the Health Commission recommended plans for 40 rehabilitation inpatient beds and 20 outpatient beds for the western metropolitan region. This report did not see the light of day, as the Government progressively closed the chronic pain clinic, the Mareeba rehabilitation day hospital and the rehabilitation inpatient unit of the Queen Elizabth Hospital. Ward 1C at the Queen Elizabeth Hospital, which is the rehabilitation inpatient unit, provided the only specialised inpatient rehabilitation program in the western metropolitan region for patients disabled by stroke, amputation, degenerative condition, multiple injuries, etc. This has now been closed.

Promises were given that there would be maintenance of outpatient services and a unit at St Margaret's at Semaphore. There has been little action except further closures. Closure of these rehabilitation services has assisted the Queen Elizabeth Hospital to reduce the length of stays and to appear more efficient. Not recorded, however, are the poorer functional outcomes. The Government has funded $2 million to beautify the Mareeba site and to develop the pregnancy advisory service. As a consequence, the Mareeba rehabilitation workshop will be closed and bulldozed. As the College of Rehabilitation Medicine states:

> More patients are abandoned into nursing homes and on to Commonwealth funding thereby helping to relieve the cash starved State budget . . . These events indicate the priorities of the Government and reflect its attitude to the aged and disabled population of the western region.

It is also well-known that this region is in the Labor heartland. My questions are:

1. Why has the Government closed virtually all the medical rehabilitation services in the western metropolitan region when the Health Commission recommended differently?

2. Where are these former patients to be relocated and where are the new patients being treated?

3. Is there to be funding to establish a specialised rehabilitation unit, or is the community in the western metropolitan region to have a fragmented service and be further disadvantaged?

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

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 non-medically owned medical services.

Leave granted.

The Hon. R.J. RITSON: For some time a number of people and corporate bodies, other than medical practitioners and corporate bodies incorporated under the Medical Practitioners Act, have conducted clinics and run medical services such as locum services and after hours general practices. The principals of such firms are not constrained by the same ethics as medical practitioners or companies incorporated under that Act.

I raised the question some time ago of the owner of a failed clinic who was not a medical practitioner and who offered for sale to the highest bidder the clinical records of the former patients of that clinic. People bound by the ethics of medical practice will know instantly that it is the patient who has the right to determine the disposition of those notes. The doctor who made those notes has a duty to transfer the information contained in them to any doctor nominated by the former patient. However, where the ownership or custody of the notes resides with someone who is not a doctor, that ethic did not apply, yet I and many other medical practitioners, and I believe the Medical Board itself, found it quite repugnant to the ideals of medical practice that an attempt should be made to commercialise the possession of that information by the person who was in fact offering them for sale.

Further, the very strict ethic of confidentiality as understood by the medical profession need not necessarily bind a non-medical entrepreneur in those situations. Similarly, there has been some distress amongst practising doctors about the advertising methods and techniques of some clinics. The Attorney will know that the legal profession, at least at one stage, had a problem where corporate bodies, not being legal practices, could advertise, particularly with regard to testamentary matters, in a way which legal practitioners could not. The time has come for every person and every corporate body that is, in effect, managing a professional practice by employing professional—

The PRESIDENT: Order! I think that the honourable member is starting to get into a debate more than a question. A point of explanation is acceptable but the honourable member is starting to debate the issue.

The Hon. R.J. RITSON: This needs to be said in order to explain the situation. There is certainly no Karl Marx versus Adam Smith in these comments. I was going to go on and ask the Minister for a bipartisan approach in drafting legislation in this matter. Perhaps it is the length rather than the content that is bothering you, Mr President.

The PRESIDENT: No, but you are comparing it with some other association and you are entering into a debate type of situation. You rose to ask a question and you are explaining the question, but you are using this forum to debate the issue relating to lawyers.

The Hon. R.J. RITSON: There is no debate. A matter needs to be explained. In dealing with this matter, I am about to ask for a bipartisan approach and the cooperation of the Minister. I could have brought in a private member's Bill and, indeed, from time to time in non-political adversary matters the Government has picked up in a cooperative way such private member's Bills and improved them, but I decided not to do that.

The Attorney-General will recall that in respect of the instance of abnormal offenders the Government took a bipartisan approach like that. This problem needs that sort of approach. So, I ask the Minister: will he have discussions with the Medical Board of South Australia, the medical association and one of the several medical practitioners on the Opposition benches in order to draft the best possible legislative solution to bring these entrepreneurial companies under the same degree of ethical control, as far as is practicable, as though they were in fact registered practitioners?

I remind the Government that, in effect, this was done with the Exempt Companies and Pharmacists Act. The Minister will recall the Committee stage of that Act where at her invitation I met with her officers and assisted in some improvements to that Bill in this place. So, I ask the Minister to discuss with her colleague in another place the possibility of forming a little group to put together suitable legislation in a bipartisan spirit to bring about a solution to the problems I have described.

The Hon. BARBARA WIESE: I shall be happy to refer the honourable member's questions to the Minister of Health in another place. I am sure that in his usual way he will appropriately assess the points that the honourable member has made and, if he believes that the honourable member's suggestion is the best way of going about solving the problems he has raised, I am sure he will agree to it. I will bring back a reply as soon as I can.

SALES TAX

The Hon. PETER DUNN: I seek leave to make a brief explanation before asking the Minister of Small Business a question about Federal sales tax.

Leave granted.

The Hon. PETER DUNN: I noticed in this morning's *Advertiser* an article headed 'Backdown on Sales Tax Law'. That article contained a rather obvious omission, which is fairly controversial, particularly in the country areas where it is proposed that a sales tax be applied to machinery held by agricultural machinery dealers. It has a very undesirable effect on primary producers in this State. The proposal is to apply a sales tax on all stock and plant held by agricultural machinery dealers. The purchaser will be given a sales tax number to be quoted when the product is purchased, and at that point the retailer will be refunded the sales tax. This means that the Government has a lend of the sales tax money, usually 20 per cent, for whatever time the stock is in hand.

Machinery dealers throughout the State have millions of dollars worth of stock standing in their yards and display areas ready for sale. Should this tax be applied in the fashion I have outlined, a number of machinery dealers will close their business because 20 per cent of their stock value would be too much to find. Those who survive will not keep plant for display or sale but will supply on order only. I suggest that would be very unsatisfactory, particularly for those people who wish to purchase machinery.

The situation in respect of spare parts is even worse. Few parts will be held. The cost of spare parts is bad enough now, but if another 20 per cent has to be paid by the machinery dealers to hold those parts they will hold very few at all. In light of the Federal Government's proposal and its effect on South Australia's machinery dealers, will the Minister object to the Keating Government's sales tax change, and will she make representa-

tion, on behalf of agricultural machinery retailers, to the Federal select committee that is now investigating the sales tax?

The Hon. BARBARA WIESE: I suggest that these people would probably be a lot worse off under a Federal Liberal Government proposal for the GST, but I will seek a report on the matter that he has raised, and if the State Government feels that it should be doing anything about this I am sure it will.

CLASSIFICATION OF PUBLICATIONS (DISPLAY OF INDECENT MATTER) AMENDMENT BILL

The Hon. BERNICE PFITZNER obtained leave and introduced a Bill for an Act to amend the Classification of Publications Act 1974. Read a first time.

The Hon. BERNICE PFITZNER: I move:

That this Bill be now read a second time.

Due to the pressure of numerous Bills left to be passed at the end of the last session, this particular Bill was not debated during its second reading stage. Therefore, I reintroduce this Bill, to amend the Classification of Publications Act 1974, because the issue of demeaning, offensive and indecent images is still very much a matter of concern in the community. Indeed, during the parliamentary recess, it was noted that the same magazine that depicted a naked woman posing as a dog on a chain had another front cover image that the Classification of Publications Board classified in category 2. Had this Bill been in place, that particular magazine would have been classified in category 1, which would have placed less restriction on the sales outlets. Thus, the principles of the Act could have been better supported. As we know, these principles are—

(a) that adult persons are entitled to read and view what they wish; and

(b) that members of the community are entitled to protection (extending both to themselves and those in their care) from exposure to unsolicited material that they find offensive.

I also have had a response from the Classification of Publications Board, which raised the issue that the Bill does not cover unrestricted publications which members of the community may find offensive. I completely agree with the board that this is so. If we were to cover all unrestricted publications that may offend, then, taking into account the many different standards of tolerance of the community, all publications with the slightest sniff of impropriety would be put under covers. No, we must strike the right balance.

We have further 'back-up', so to speak, in our Summary Offences Act 1953, section 33 'Publication of indecent matter'. In that Act, we have clear rules for what is defined as 'indecent material' and 'offensive material'. 'Indecent material' means 'material of which the subject matter is, in whole or in part, of an indecent, immoral or obscene nature . . .' and 'offensive material' means:

material *(a)* of which the subject matter is or includes:
(i) violence or cruelty;
(ii) the manufacture, acquisition, supply or use of instruments of violence or cruelty;
(iii) the manufacture, acquisition, supply, administration or use of drugs;
(iv) instruction in crime; or
(v) revolting or abhorrent phenomena;
(b) which, if generally disseminated, would cause serious and general offence amongst reasonable adult members of the community.

Further, the Summary Offences Act makes it an offence for these types of material—indecent material or offensive material—to be visible from a public place. Thus, we in South Australia are fortunate to have in place legislation that protects the community from what I call 'hard core' material.

As mentioned previously, the other States did not have such legislation. In Western Australia, Mr Tubby MLA has tried to put in a Protection of Children from Indecent Materials Bill. In New South Wales, Dr Goldsmith MLC is trying to put through a Bill along similar lines to that of Mr Tubby, and I understand that now she is expanding the Bill to cover not only children but the community. In Queensland, Mr Milliner, Minister for Justice, has put through a Classification of Publications Act, which was assented to in December 1991. This Act, as I mentioned previously, places both category one and category two restricted publications into restricted areas that we in South Australia place only under category two publications in a more severe restriction especially in the area of sales outlets.

Here in South Australia, what I call the soft core material area needs further attention so as to overcome the visual affront that some in the community feel towards this type of material. Thus, adjustment is best made through the Classification of Publications Act 1974. Through this Act we can address the issue of demeaning images, especially as they relate to women. As we all know, at present, women are the most affected by these types of demeaning visual postures. We must seek to prevent in particular our future generation from accepting such images as the norm.

Women are in a disadvantaged position already. This is brought out in the report of the Inquiry into Equal Opportunity and Equal Status for Women in Australia, April 1992 by the House of Representatives Standing Committee on Legal and Constitutional Affairs. The report is called 'Halfway to Equal'. In the report we note that Australian women's achievements are not widely known, let alone acknowledged. Their landmark achievements should be more widely documented, and I would like to read into *Hansard* a list of achievements by women or for women which reflect the partial breakdown of a barrier faced by women in securing positions in public life.

TIME LINE ON WOMEN, AUSTRALIA: LANDMARK EVENTS

1883 The first woman graduated from an Australian university (Julia Bell-Guerin, B.A., University of Melbourne).

1883 The first of the Married Women's Property Acts to be passed successively in the Australian States to give married women the same legal position regarding property as unmarried women was enacted in South Australia. The last State to enact such legislation was Tasmania (1935).

1890 Constance Stone became the first registered woman doctor in Australia, having studied over-

seas as she was refused entry to Melbourne University.

1894 South Australia became the first State to accord women the right to vote and the right to sit in State Parliament. In 1923 Victoria was the last State to do so.

1902 Non-Aboriginal women gained the right to vote in Federal elections and the right to sit in Federal Parliament.

1903 Vida Goldstein became the first woman to stand for election to Parliament when she nominated for the Senate elections.

1912 Minimum wage for women's work set by Mr Justice Higgins—first Commonwealth Arbitration award for women (most commonly until 1960 this was 54 per cent of the male rate).

1912 Maternity Allowance Act provided for a grant of £5 on the birth of a child.

1921 The first woman was elected to an Australian Parliament—Edith Cowan to the lower House of the Western Australian Parliament.

1937 Mary Gilmore, poet (later Dame Mary Gilmore) was awarded an OBE.

1941 Child Endowment Act provided for payment directly to the mother of an allowance for each child after the first under the age of 16 years (five shillings per week).

1942 The Women's Employment Board was formed to draft women into essential war-time work at higher rates of pay.

1943 The first women were elected to Federal Parliament (Enid Lyons to the House of Representatives and Dorothy Tangney to the Senate).

1947 Florence Cardell-Oliver (later Dame Florence), elected in 1936, became the first woman Cabinet Minister in an Australian Parliament (Western Australia).

1949 Dame Enid Lyons became the first woman to be part of Federal Cabinet (as Vice-President of the Executive Council).

1950 First determination of a female basic wage. The Commonwealth Arbitration Court set this at 75 per cent of the male basic wage.

1962 Roma Mitchell (later Dame Roma Mitchell) became Australia's first woman Queen's Counsel, then becoming Australia's first woman Supreme Court judge in 1965 and later first Acting Chief Justice.

1963 The Women's Bureau was created in the Department of Labour and National Service (now in the Department of Employment, Education and Training).

1966 The bar on employment of married women in the Commonwealth Public Service was abolished.

1966 Senator Rankin (later Dame Annabelle Rankin) became the first woman Minister in a Federal Parliament.

1967 All Aboriginal women (and men) were finally able to vote.

1969 Commonwealth Conciliation and Arbitration Commission ruling on 'equal pay for equal work', to be phased in by 1972.

1972 Commission extension of equal pay concept to 'equal pay for work of equal value' to be fully implemented by 30 June 1975.

1972 The Federal Child Care Act 1972 provided Federal involvement and funding for child care.

The list further continues from 1973 right through until 1991, and I seek leave to incorporate the rest of this list into *Hansard* without my reading it.

The PRESIDENT: If it is not statistical it must be either tabled or read into *Hansard*.

The Hon. BERNICE PFITZNER: Well, Mr President, I will continue to read it into *Hansard*. I thought that it might be boring the rest of the Council, but I shall continue to read it.

1973 The Maternity Leave Act 1973 provided for maternity leave for Federal public servants.

1973 The first woman (Elizabeth Evatt) was appointed as a Deputy President of the Conciliation and Arbitration Commission.

1975 The first sex discrimination Act in Australia was passed by the South Australian Parliament (the Sex Discrimination Act 1975).

1975 Family Law Act 1975 passed by the Federal Parliament.

1976 Elizabeth Evatt became the first Chief Judge of the Family Court.

1978 The National Women's Advisory Council was established. This was replaced by the National Women's Consultative Council in 1984.

1979 ACTU maternity leave test case.

1979 Deborah Wardley won the right to be employed as a pilot with Ansett in a case heard by the Victorian Equal Opportunity Board.

1981 Mary Gaudron became the first woman Solicitor-General (for New South Wales).

1983 Ratification by Australia of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women.

1983 The first women University Chancellor was appointed (Dame Roma Mitchell, University of Adelaide).

1984 Sex Discrimination Act 1984 passed by the Federal Parliament.

1985 Australian Conciliation and Arbitration Commission affirmed the equal pay principles of the 1972 equal pay case but rejected the comparable worth concept.

1985 Helen Williams appointed as Secretary of the Department of Education, the first and only woman to head a Government department (1985-87).

1986 Hon. Joan Child MHR, became the first woman Speaker of the House of Representatives.

1986 The Affirmative Action (Equal Employment Opportunity for Women) Act 1986 passed by the Federal Parliament.

1986 Janine Haines became the first woman leader of a political Party in the Federal Parliament.

1987 The first woman was appointed to the High Court (Mary Gaudron).

1988 The first two women graduated as pilots in the Royal Australian Air Force (Flight Lieutenant R.D. Williams and Flying Officer Hicks).

1989 Women were included for the first time in Australian National Antarctic Expeditions, and in 1990 the first woman station leader was appointed (Diana Patterson).

1990 Two women became State Premiers—first, Dr Carmen Lawrence, Western Australia, and then Joan Kirner, Victoria.

1990 Deidre O'Connor became the first woman Federal Court Judge and President of the Administrative Appeals Tribunal.

1990 The Liberal Party in Victoria elects its first woman member of the House of Representatives (Fran Bailey).

The Hon. M.S. FELEPPA: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. BERNICE PFITZNER: I shall continue the list as follows:

1991 Dame Roma Mitchell was appointed Governor of South Australia and became Australia's first woman vice-regal representative.

1991 The Law Institute appointed its first woman President in its 132-year history (Gail Owen).

That completes the list of women's achievements and landmark events in Australia.

The Hon. L.H. Davis interjecting:

The Hon. BERNICE PFITZNER: My colleague has reminded me that I omitted to say that the first woman Clerk of the Legislative Council, Mrs Jan Davis, must be included in this list, and that it must be updated. These are great achievements indeed. The report further states:

> Popular history has not adequately recorded the enormous contribution that women have made in Australia. This extends even to quite recent achievements which, despite their importance, are not widely known. The invisibility of the historical contribution of women weakens the current status of women by diminishing self-esteem . . . 'in contrast, the pervasive popular media promotes a stereotype of male and female roles which is generally inaccurate and often damaging to women'.

The demeaning image as is on the front of certain publications serves to potentiate and reinforce this stereotyping. The report further states that:

> . . . while the media portrayal of women is a powerful reinforcing factor, it does reflect deeper social attitudes and standards. No Parliament can overcome deep ingrained social attitudes by merely passing legislation. While legislation is important and can set standards for behaviour, it is the ongoing commitment to a goal which will over time achieve real change.

It is true that legislation can only set standards. However, if certain standards are not set, if children have around them demeaning images that nobody is surprised or uncomfortable about, if women are frequently portrayed in servile or submissive roles, then a message is sent to the community, and to children in particular, that encourages and sets the 'deep ingrained social attitudes' observed by the report. This Bill, therefore (for category 1 restricted publications) seeks to protect the community and those in their care from exposure to unsolicited material that they find offensive. This is done by obscuring the material causing the offence by either putting the material in special racks or putting the material in opaque sealed packages.

The Hon. R.R. Roberts interjecting:

The Hon. BERNICE PFITZNER: My honourable colleague says one can see through it, but perhaps he has omitted to realise that they should be in opaque, sealed packages. Yet, this amendment is not so puritanical as to remove the publications into the restricted publication area. In that way, we are able to uphold the other principle of the original Act, that is, 'that adult persons are entitled to read and view what they wish'.

Complementary to this Bill are the excellent guidelines put forward by the Classification of Publications Board of South Australia. These guidelines state that for covers of magazines which contain—

1. Gratuitous, relished or explicit depictions of violence;
2. Offensive or assaultative language;
3. Pictorial depictions of sexual acts or poses which are overtly sexual or which imply sexual activity;
4. Demeaning sexual images or poses,

the magazines will be classified as category 2, whatever be the nature of their contents. However, this Bill will enable the magazines with the foregoing described covers to be placed in category 1 instead of category 2, with its unnecessarily severe restrictions. This applies to the guidelines for posters advertising category 1 magazines. It is acknowledged that this Bill does not totally fix this complex and complicated issue.

The complication arises from the voluntary nature of the publication to be classified. It is reported that numerous classifications are not classified and need to be classified. That whole area has to be addressed, and I believe that a code of ethics is being devised that might address this issue. In the meantime, I believe that this Bill is a step in the right direction. I commend the Bill to the Council and urge my colleagues to give it their support. I seek leave to incorporate in *Hansard* the detailed explanation of clauses without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 provides for the commencement of the measure.

Clause 3 amends section 14a of the Act in relation to the conditions that are to apply to the display of category 1 restricted publications. The Act presently provides that such publications must be displayed in a sealed package (unless displayed in a restricted publications area). The amendment will require such publications either to be displayed in racks or other receptacles that prevent the display of any prescribed matter, or in opaque material (that does not depict any prescribed matter). Restrictions are also placed on the manner in which category 1 restricted publications can be advertised if the advertising depicts any prescribed matter. 'Prescribed matter' is defined to mean prescribed matter under section 13 of the Act, being matter (detailed in section 13) that results in a publication being classified under the Act.

The Hon. R.R. ROBERTS secured the adjournment of the debate.

The Hon. R.R. ROBERTS: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

EQUAL OPPORTUNITY (EMPLOYMENT OF JUNIORS) AMENDMENT BILL

The Hon. C.J. SUMNER (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Equal Opportunity Act 1984. Read a first time.

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

That this Bill be now read a second time.

This Bill amends the Equal Opportunity Act to allow employers to advertise for employees at junior rates of pay.

Amendments to the Equal Opportunity Act, dealing with discrimination on the ground of age came into operation on 1 June 1991. Under the terms of the Act, an employer must not discriminate on the ground of age in the offer of employment. However, if a junior is appointed to a position and the relevant award provides for a junior rate of pay, then the employee may be paid at that junior rate of pay.

Two-thirds of the total complaints to the Equal Opportunity Commissioner for the period 1 June 1991 to 30 November 1991 about age discrimination related to employment, and of these 75 per cent relate to the complainant being too old. In the majority of cases these complaints involved an allegation that employment had been refused because adult rates would apply when employers only wanted to pay junior rates.

Inquiries were at about the same level as complaints. In most cases employers expressed confusion and concern over the age provisions which on the one hand allowed them to pay award rates of pay based on age, but on the other hand made it unlawful for them to advertise to recruit employees using the same criteria.

Employer associations allege that the age provisions have made employers more reluctant to fill positions normally occupied by juniors. Reasons given include the uncertainty of attaining the desired outcome (the employment of a junior), the increased administrative work load and cost (that is, having to deal with much larger fields of applicants), and the real possibility of a complaint being lodged with the Equal Opportunity Commission by an adult applicant who misses out on a job if a junior is appointed to the advertised vacancy.

At the time the amendments to the Act dealing with discrimination on the ground of age were before Parliament there was considerable debate regarding junior wages at a State and national level. It was mooted that a training wage would replace a junior award rate of pay. This issue is once again in the public arena but junior rates of pay are still with us.

The amendment recognises that it is anomalous to prohibit advertising for a junior so long as junior rates of pay continue to be included in awards and provides that employers are able to advertise for juniors where the work to be performed is covered by an award or an industrial agreement, and such award or agreement contains junior rates of pay.

Members will note that the amendment does not expressly allow an employer to advertise for persons to fill positions that will be subject to special rates of pay under an award or industrial agreement. However, the effect of the amendment in combination with section 103 of the Act is that an employer can advertise specifically for a young person to fill such positions.

It is considered that the amendment will have a finite life of its own as age based rates in awards and agreements are replaced by training wages. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal.

Clause 2 provides for commencement on a day to be fixed by proclamation.

Clause 3 amends section 85f of the Act in relation to the employment of young persons. Section 85f (4) presently provides that the provisions of the Act relating to discrimination on the grounds of age in relation to employment do not render unlawful an act done in order to comply with an award or industrial agreement. However, the provision does not allow an employer to advertise for persons to fill positions that will be subject to special rates of pay under an award or industrial agreement. The amendment, when coupled with the operation of section 103 of the Act, will allow an employer to advertise specifically for a young person to fill a position that is subject to a reduced rate of pay by virtue of an award or industrial agreement.

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

STATUTES AMENDMENT (COMMERCIAL LICENCES) BILL

The Hon. BARBARA WIESE (Minister of Consumer Affairs) obtained leave and introduced a Bill for an Act to amend the Builders Licensing Act 1986, the Commercial and Private Agents Act 1986, the Consumer Credit Act 1972, the Land Agents, Brokers and Valuers Act 1973, the Second-hand Motor Vehicles Act 1983 and the Travel Agents Act 1986. Read a first time.

The Hon. BARBARA WIESE: I move:

That this Bill be now read a second time.

With the support of successive Governments—Labor and Liberal—the Commercial Tribunal has been established as the single occupational licensing body controlling most trades in this State. The Commercial Tribunal Act established the tribunal in 1981 and a number of Acts were passed throughout the 1980s to give the tribunal power to license and discipline a variety of trades.

Wherever possible a uniform scheme of licensing was adopted for each occupation or trade as jurisdiction was transferred to the tribunal. Thus, for example, applications for licences or registration are made in the same manner, and objections to the grant of a licence lodged and heard in the same way. Disciplinary proceedings are instituted in a similar manner for all occupations although the grounds may vary, for example, as between a corporate credit provider and a licensed crowd controller.

This Bill amends a number of Acts which confer jurisdiction on the tribunal to make uniform changes to the uniform scheme adopted for each occupation. The changes are related to the suspension of licensees. It is proposed that the requirement to advertise suspensions for non-payment of annual fees be removed and replaced with a requirement that the Commercial Registrar advertise disciplinary action taken against licensees which affects the status of their licences. The opportunity has also been taken to clarify the effect of suspension—to make clear that a suspended licensee as well as one whose licence has been cancelled may not legally trade.

Under these proposals, licensees who fail to pay their fees will continue to be suspended and must continue to be notified of their suspension—so that they can make good their defaults—in the normal way. However, the

Commercial Registrar will no longer be required to advertise these routine suspensions. In place of the requirement to advertise suspensions for non-payment of fees there will be a requirement that the registrar advertise disciplinary action taken against a person where such action consists of or includes disqualification or suspension or cancellation of the person's licence.

These changes will remove the unfair situation whereby persons who fail to make automatic annual payments are publicly advertised, but persons who are suspended or disqualified as a result of disciplinary action are not subjected to such public scrutiny. The experience of the tribunal has been that very few advertised suspensions for non-payment result in redeeming payments by licensees. In fact, many licensees who wish to leave a particular trade simply allow their licences to lapse rather than notify the tribunal that they have moved interstate or into a different field of work. It is obviously more appropriate that persons whose removal from an occupation is the result of their own misconduct be those whose names appear in the public notices.

The need to clarify the effect of suspension arose out of an opinion given to the Commissioner for Consumer Affairs by the Crown Solicitor. The Crown Solicitor concluded that the Commissioner could not prosecute a suspended car dealer for trading without a licence because the dealer was still the holder of a licence under the 'duration of licence' provisions of the Second-hand Motor Vehicles Act. Under those provisions a prosecution could only be instituted when the licence was cancelled at the conclusion of the six-month period. These provisions also appear in the Builders Licensing Act, the Commercial and Private Agents Act, the Consumer Credit Act and the Travel Agents Act. The Crown Solicitor recommended that provisions identical to those found in the Land Agents, Brokers and Valuers Act replace the provisions in the other occupational licensing Acts. I commend the Bill to members. I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1 and 2 are formal.

Clause 3, which is the interpretation clause, provides that a reference in this Bill to 'the principal Act' is a reference to the Act that is named in the heading to that part of the Act.

Part II of the Bill (clauses 4-6) deals with amendments made to the Builders Licensing Act 1986.

Clause 4 of the Bill amends section 11 of the principal Act (dealing with licensing builders) by striking out subsections (1), (5) and (6) and substituting new subsections and by inserting a new subsection at the end of the section. The proposed subsection (1) provides that a licence remains in force (except for any period for which it is suspended) until—

- the licence is surrendered or cancelled; or
- the licensee dies or, in the case of a body corporate, is dissolved.

Proposed subsection (5) provides that the Registrar must cause notice of a suspension under proposed subsection (4) to be served personally or by post on the licensee.

Proposed subsection (6) provides that where a licensee fails to comply with a notice under proposed subsection (3) within six months after service of the notice, the licence is cancelled.

Proposed subsection (8) provides that, in this section, 'licensee' includes a licensee whose licence has been suspended otherwise than by force of this section.

Clause 5 amends section 17 of the principal Act (dealing with registering building work supervisors) in a corresponding manner to that described in clause 4 in relation to section 11 of the principal Act. The proposed subsection to be inserted is subsection (8) which provides that, in section 17, a 'registered building work supervisor' includes a building work supervisor whose registration has been suspended otherwise than by force of section 17.

Clause 6 amends the principal Act by inserting section 21a after section 21. Proposed section 21a provides that where disciplinary action taken against a person by the tribunal consists of or includes the suspension or cancellation of the person's licence or registration or disqualification of the person, the Registrar must cause notice of the action taken—

- to be served personally or by post on that person; and
- to be advertised in a newspaper circulating throughout the State.

Part III of the Bill (clauses 7 and 8) deals with amendments to the Commercial and Private Agents Act 1986.

Clause 7 of the Bill amends section 13 of the principal Act (dealing with the licensing of commercial and private agents) in a corresponding manner to that described in the explanation of clause 4. The proposed subsection to be inserted is subsection (10) which provides that, in section 13, 'holder of a licence' includes a holder of a licence whose licence has been suspended otherwise than by force of section 13.

Clause 8 amends the principal Act by inserting section 18a after section 18. Proposed section 18a corresponds to the section proposed by clause 6 for the Builders Licensing Act 1986.

Part IV of the Bill provides for amendments to the Consumer Credit Act 1972.

Clause 9 amends section 30 of the principal Act (dealing with licensing of credit providers) in a corresponding manner to that described in the explanation for clause 4. The proposed subsection to be inserted is subsection (7) which provides that, in section 30, a 'holder of a licence' includes a holder of a licence whose licence has been suspended otherwise than by force of section 30.

Clause 10 amends the principal Act by inserting section 36b after section 36a. Proposed section 36b corresponds to the section proposed by clause 6 for the Builders Licensing Act 1986.

Part V of the Bill (clauses 11-16 inclusive) deals with amendments to the Land Agents, Brokers and Valuers Act 1973.

Clause 11 amends section 17 of the principal Act (dealing with the licensing of land agents) in a manner similar to that described in the explanation for clause 4, with the difference that section 17 (1) is left unaltered as it already corresponds with the proposed subsection in each of the other Acts which are the subject of this Bill. The proposed subsection to be inserted is subsection (8) which provides that, in section 17, a 'licensed land agent' includes a licensed agent whose licence has been suspended otherwise than by force of section 17.

Clauses 12, 13, 14 and 15 amend respectively sections 27, 33, 58 and 80 of the principal Act in a manner corresponding to the changes proposed in clause 11.

In clause 12, the proposed subsection to be inserted in section 27 of the principal Act is subsection (8) which provides that, in section 27, a 'registered sales representative' includes a registered sales representative whose licence has been suspended otherwise than by force of this section.

In clause 13, the proposed subsection to be inserted in section 33 of the principal Act is subsection (8) which provides that, in section 33, a 'registered manager' includes a registered manager whose registration has been suspended otherwise than by force of this section.

In clause 14, the proposed subsection to be inserted in section 58 of the principal Act is subsection (8) which provides that, in section 58, a 'licensed land broker' includes a licensed land broker whose licence has been suspended otherwise than by force of this section.

In clause 15, the proposed subsection to be inserted in section 80 of the principal Act is subsection (8) which provides that, in section 80, a 'licensed land valuer' includes a licensed land valuer whose licence has been suspended otherwise than by force of this section.

Clause 16 amends the principal Act by inserting section 85c after section 85b. Proposed section 85c corresponds to the

section proposed by clause 6 for the Builders Licensing Act 1986.

Part VI of the Bill (clauses 17 and 18) deals with amendments to the Second-hand Motor Vehicles Act 1983.

Clause 17 amends section 11 of the principal Act (dealing with licensing of dealers) in a corresponding manner to that described in the explanation for clause 4. The proposed subsection to be inserted is subsection (9) which provides that, in section 11, a 'licensee' includes a licensee whose licence has been suspended otherwise than by force of this section.

Clause 18 amends the principal Act by inserting section 16a after section 16. Proposed section 16a corresponds to the section proposed by clause 6 for the Builders Licensing Act 1986.

Part VI of the Bill (clauses 19 and 20) deals with amendments to the Travel Agents Act 1986.

Clause 19 amends section 9 of the principal Act (dealing with the licensing of travel agents) in a corresponding manner to that described in the explanation for clause 4. The proposed subsection to be inserted is subsection (8) which provides that, in section 9, a 'licensee' includes a licensee whose licence has been suspended otherwise than by force of this section.

Clause 20 amends the principal Act by inserting section 15a after section 15. Proposed section 15a corresponds to the section proposed by clause 6 for the Builders Licensing Act 1986.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 11 August. Page 41.)

The Hon. R.I. LUCAS (Leader of the Opposition): I support the motion and thank Her Excellency for the speech with which she opened the Parliament. At the outset, I place on the public record my personal congratulations and the congratulations of the Liberal parliamentary members of the Legislative Council for the appointment of Ms Jan Davis as the Clerk of the Legislative Council. In doing so, as I have indicated on a previous occasion, I state that we Liberal members of the Legislative Council have every faith in the professional integrity and ability of Jan to handle the position. She has demonstrated such ability over a long period of service to the Legislative Council in various positions prior to her appointment and we wish her well for a long and productive career in the Legislative Council.

I wish also to place on record our thanks for the work of Mr Clive Mertin, who recently retired as the Clerk of the Legislative Council. We respected his integrity and professionalism in the job as Clerk and we thank him for his long period of service to the Legislative Council. We look forward to the opportunity, perhaps over a convivial tomato juice or two, to say a more personal thank you to Clive and we wish him a happy, healthy and productive retirement.

In my contribution, I want to make some general comments about the state of the State and then, more particularly, to look at my portfolio responsibilities of education. I will then outline some personal thoughts about the problems in that portfolio and, more importantly, the future directions the Liberal Administration might take to correct those problems.

When one looks at the sorry state of the State of South Australia at the moment and considers some of the economic indicators and the performance of the State in those economic indicators since 1989, it is indeed a tragic tale. Of the many economic indicators one could perhaps look at, I will briefly address three or four. When one looks at the critical issue of unemployment at the moment, members will know from the tales they hear from their own constituents about the tragic nature of unemployment here in South Australia at the moment. We have an adult unemployment rate of 11 to 12 per cent and for 15 to 19 year olds a full-time unemployment rate varying from between 35 and 45 per cent.

When we all commenced our parliamentary careers, however long ago it was, I think we could not have contemplated a period in South Australia's history of unemployment at that level and to contemplate, even more sadly and more tragicaly, a long period ahead of us where virtually all the economic commentators and forecasters predict that we are likely to see unemployment in Australia and in South Australia hanging at that level of 10 per cent or above for quite some period yet.

Even the very best of the economic forecasts are saying that we might perhaps get our unemployment down to only about 8 per cent and the ratcheting effect of consecutive recessions will be such that what the economists euphemistically call the natural rate of unemployment might now, as a result of Federal and State Labor policies, have ratcheted up to a notch of about 8 per cent.

I remember when I first started my working life back in 1973 one of the factors that prompted me to finish my university studies at the end of three years rather than going on to an anticipated fourth year in honours was the awful contemplation that unemployment in 1973 had burst through the six figure barrier. For the very first time we had 100 000 people unemployed in Australia and I was fearful, and perhaps rather naively I guess when one looks at the situation now, that if I spent another year in university I might not have a job at the end of that further year of study. At that time, 100 000 unemployed was not contemplated by anybody. We are now talking about approximately 1 million unemployed people in Australia and almost 100 000 unemployed people in South Australia alone. As I said, youth unemployment rates are 35 to 45 per cent. I do not think any member in this Chamber would have contemplated such a sorry State of South Australia at the time of their coming into Parliament.

With regard to that youth unemployment rate of 35 to 45 per cent, if one goes to some of the more devastated areas of Elizabeth, Hackham and some of the north-western suburbs of Adelaide, in some of those suburbs the youth unemployment rate is 50, 60 and 70 per cent. Indeed, it must be a tragedy for you, Mr President, and other members of a Party ostensibly elected to represent workers and the working class people of South Australia to see youth unemployment rates at such levels in the areas that you do represent in the north, the south and the north-west in particular.

When the Bannon Government came to office, the net State debt was $2.6 billion. By the 1989 election it had risen to $4.4 billion and by 30 June 1991 it had topped $6.6 billion, and we understand it is now likely to exceed $7 billion. So, in the period of office of the Bannon Government, we have seen our State rise from $2 600 million to over $7 000 million. South Australia's prized

triple A credit rating, which has been the case for such a long period, has now been downgraded twice by both Moody's and Standard and Poor's since the 1989 election.

This is not just some sort of esoteric economic indicator that does not have any effect on our budget or the State of South Australia, because our credit rating affects the level of interest that we have to pay on our debt and borrowings. The estimates indicate that the downgrading or loss of the triple A credit rating could be adding up to $50 million a year to our State borrowing costs in South Australia.

If one looks at the costs of servicing our debt, just for the consolidated account alone the net interest servicing cost was estimated at $694 million in 1991-92, which is equivalent to 47 cents for every tax dollar raised. Before the 1989 election, in the year to June 1989, the net interest servicing cost was $440 million, which is equivalent to 35 cents in every tax dollar collected.

That figure tells us that, for every dollar this Government raises in taxation revenue from the community and from business, almost half or 50 cents of every dollar has to be spent to pay off the interest on our State debt. That figure has ballooned from 35 cents to 47 cents in the dollar in the space of the past two years as the result of the State Bank fiasco.

If one looks not just at the State debt but at overall State liabilities, the State Treasury has estimated that as at 30 June 1991 the liabilities of the South Australian public sector total $10.9 billion, which includes $6.6 billion in State debt, $3.2 billion in unfunded public sector superannuation and $500 million in unfunded public sector long service leave. That figure of $10.9 billion excludes WorkCover's unfunded liability and the unfunded liability for Government workers compensation. One could refer to many other indicators, but I do not want to make members in this Chamber too miserable: they are all tragic figures for South Australia.

I now want to refer to two independent commentators who have assessed the state of the budget and the fiscal policy of the Bannon Government. These are not members of the alternative Government but independent commentators. The first one is a recent publication of the Institute of Public Affairs, which awarded South Australia the lemon award for the most irresponsible 1991-92 budget for the second year in succession together with the Sir Humphrey Appleby award for closed Government. In 1991-92, a real 11 per cent interest in the tax take was forecast, which would only partly fund a 9.5 per cent real increase in recurrent outlays. At the same time, net fixed capital outlays were cut by 13.7 per cent in real terms, and it said that this makes a mockery of Mr Bannon's hypocritical call for increased national expenditure on public infrastructure.

South Australia's budget presentation is particularly objectionable, as it provides a limited and false picture of the State's finances. It also misrepresents the timing of the State Bank bail-out, and it has changed its definitions yet again to make comparisons with other States in previous years very difficult: hence the Sir Humphrey Appleby award. That is the independent Institute of Public Affairs' judgment on the Labor Government's administration of our budget and finances.

The second independent body to comment in recent months is Access Economics. Access Economics is a most respected independent economic commentating and forecasting firm with an Australia-wide reputation in this area. Access Economics says that South Australia will remain in long-run decline with continually rising debt because of the inaction of the Bannon Government to take tough decisions to get its own house in order. It says that South Australia faces severe debt problems in the 1990s with unchanged policies. Providing selective subsidies and bandaids, as proposed by Premier Bannon, will not turn around the State's economy. A firm, given the choice of a few subsidies or going interstate with cheap power, lower taxes, good transport and a cooperative work force, will go north every time. If the State reverts to protecting failures and picking losers, it faces a grim future. A State Government first needs to fix up the things it runs itself.

It is a bit rich for the State to be telling the private sector how to achieve best practice when it cannot do so itself. There is no commitment by Premier Bannon to open up public enterprises to competition or to ensure that they reach international or even Australian best practice. This is despite the Industry Commission's evidence of substantial potential gains available in South Australia's public enterprise. There is no commitment to solve State debt problems by cutting spending rather than raising taxes; in fact, the reverse is true. There is no commitment to make South Australia a low tax State or to reform workers compensation. There is no commitment to reform labour markets. One could add a recent release of the A.D. Little report, or more importantly the as yet not officially published consultant's report, to give another independent assessment of the basket case of an economy that we have in South Australia at the moment.

Each of those three independent commentators is saying that we are in a tragic situation in South Australia, that we need new policies, new direction and a new vision for the future. What we have instead is a Government sadly in disarray. We have policy paralysis right from the top—the now stood-down or former Premier Bannon, if that is the best way to describe him, who is now presenting evidence to the royal commission—right through the State Cabinet and all parts of the current Government. This policy paralysis has been identified not just by Liberal commentators but by persons such as the Independent Labor member for Semaphore (the Speaker, Mr Norm Peterson). He has identified the policy paralysis in Government, the fact that decisions are not being taken, and some of the other Independent Labor members are also freely commenting that the Government is unprepared to take a decision.

The Hon. M.S. Feleppa: Your Party does not have encouraging policies.

The Hon. R.I. LUCAS: I will certainly respond to the Hon. Mr Feleppa's interjection in due course, but I reject that notion. The Federal and State Liberal Parties have well constructed and well thought out policies for an alternative future in South Australia. The sooner a Liberal Administration gets elected to try to correct the economic cot case of an economy that we have in South Australia, the better it will be.

As I said, we have a Government in disarray. We have a former Premier unable to make decisions. We have the

impending well-known possibility of a Cabinet reshuffle. There is very little expectation that the Hon. Barbara Wiese will be in the Cabinet for very much longer. There is certainly a very strong tip that for a variety of reasons the Hon. Mr Klunder will not continue in the Cabinet for very much longer, and there will need to be a Cabinet reshuffle.

There is no doubting that the Speaker has put out the parliamentary equivalent of a contract on the head of the former Premier Mr Bannon. When one reads between the lines of what the Speaker has been saying there is no doubt that he is manoeuvring himself into a position similar to that of the Independents in New South Wales who basically took the position that they would not vote against the Government as long as that particular Party in New South Wales was prepared to get rid of its Leader. There is no doubt, as everyone knows, that the Hon. Norm Peterson is being flooded with requests from his constituents to do something about this Government, to get rid of it and to force an early election. He is being flooded with telephone calls and letters urging him to take some strong action to bring about an early election in South Australia.

One suspects, as I said, that the Speaker is manoeuvring himself into a position where he can say that whilst he will not move against the Government he will certainly insist that Mr Bannon no longer continue as Premier. Of course, we have the unedifying spectacle already from within the Labor Caucus of various pretenders for the Labor leadership already manoeuvring themselves for position. We have the battle between the Hon. Lynn Arnold, the Hon. Mike Rann and the Hon. Frank Blevins and the rank outsiders, if one could use that phrase to describe the Hon. Susan Lenehan and one or two others who fancy themselves as leadership material within the Labor Caucus.

Certainly the performance of the Hon. Susan Lenehan this morning on the Keith Conlon program would not have appealed to too many of her Caucus colleagues or to too many people in the community. It is interesting to note that already some of the very strong Lynn Arnold supporters within Labor Caucus are saying quite openly that they think Lynn Arnold is the only man with the integrity and presence—not necessarily the charisma, I might say—to carry off the position as Labor Leader and therefore Premier. Already, though, some Lynn Arnold supporters within Labor Caucus are saying that what we have at the moment is a situation where the Labor Party must elect a Leader who is prepared to look at the economic cot case that we have in South Australia and pretend that it does not exist, that they need a Leader who can look at something that is white and say, with a straight face, that it is black, that they need a Leader who can pretend that everything is rosy and that the policy direction is right.

The Hon. R.R. Roberts: You ought to join up; you can do that.

The Hon. R.I. LUCAS: These people are saying that the only person in the South Australian Labor Party who can fill that PR, marketing, huckster description is the Hon. Mike Rann, that he is the only one who could look the South Australian community in the face and pretend that everything was all right, that everything was on path. So, sadly, it would be a tragedy for South Australia if the Hon. Mike Rann was ever elected as Leader of the Labor Party and as Premier of South Australia. We would move from one PR stunt to another. We would have white shoes being delivered left, right and centre. We would have all sorts of PR and marketing and huckstering stunts being produced all over South Australia, but not much intention to face up to the real problems that confront South Australia at the moment and to address those real problems. All I can say to those Lynn Arnold supporters in the Labor Caucus is, 'Whatever you do, don't leave us in the position of having Mike Rann inflicted on the South Australian Parliament and the South Australian community.' I shall resist the temptation at this time to make any elaboration on my well-known interest in Labor Party factions. I will leave that for another day, as time does not permit at the moment.

I now want to make some comments about the education portfolio and about the South Australian Certificate of Education and special education generally. There are growing concerns in schools, amongst teachers, parents and principals about the Labor Government's South Australian Certificate of Education. These concerns, in particular, refer to the problems that teachers and principals in particular are seeing with the assessment process for stage one, or year 11, of the South Australian Certificate of Education. I want to read into *Hansard* a lengthy quotation from one teacher about the South Australian Certificate of Education. This is from an article by Glen Seidel, at St Michael's College, who writes under the headline 'SACE?—Don't talk to me about SACE! It's time for the SACE to hit the fan!' as follows:

> 'Unmotivated' and 'non-academic' students are, in effect, being held as unwilling political hostages in an education system which refuses to release them until they have served their time.
>
> In the interests of Equity and Access, SACE is to be achievable by all who attempt it. Schools, therefore, have to modify both course content and assessment items to suit the lowest common denominators of their client groups.
>
> This will do nothing for improving standards in the 'basics'. Literacy will not improve by simply assessing it often!
>
> Numeracy won't improve by pushing students through a few watered-down maths tests in a watered-down maths course.
>
> Wherein lies the value of a certificate that anyone can obtain? What advantage does it give students who jump through SACE's hoops if, for many of their cronies, those hoops are so large and so low that a paralysed elephant could tumble through without raising a sweat?
>
> SACE's blandness means it can't even help employers gain a meaningful indication of a student's attributes or achievements. Although SSABSA encourages schools to pursue excellence above and beyond SACE's minimum requirements, it doesn't include that achievement on its certificate!
>
> Neither descriptive variations of subject titles, more grades other than SA, RA and RNM (Washed, Brushed and Dirty) are of relevance to Stage 1 of SACE.
>
> Schools will therefore need to emulate dishonest accountants and keep two sets of books—one for SACE and one REAL set. Confusion is inevitable.
>
> Already there are many students with an 'internal' mark of the order of 307 who are satisfactory according to SACE's criteria.
>
> Similarly there are 'A' and 'B' grade students who are not satisfactory for SACE purposes for a sin of omission of a critical technicality.
>
> Where is justice for a student who struggles unsuccessfully with a demanding variant of a subject while others can breeze through a less demanding variant of the same subject? The certificate will make no distinctions.
>
> Failure as a consequence of ONE RNM is as embarrassing for the fledgling system as it is for students. Schools are now being

directed to be flexible with their interpretations of the spirit of the previously rigid ESFs.

If the rules are now optional, or at least elastic, do they serve any useful purpose at all?

Rather than provide a consistent framework for curriculum and assessment, SACE will probably promote even more ambiguity than existed previously. Different schools will interpret the 'elasticity doctrine' differently in an attempt to balance compassion for their students with the need to preserve professional integrity.

Compounding the problem of actual differences in standards is the problem of publicly perceived differences. The egalitarian philosophy of a universal certificate will never compensate the student from Satellite City High for the advantage to another of the reputation of Establishment Grammar.

Moderation will do little to redress imbalances because it is based on the monitoring of a sample of classes rather than active manipulation and universal coverage. This moderation model may be more cost-effective but renders the process impotent by tying moderators' hands.

An *ad hoc* treatment cannot produce any justifiable degree of conformity. We now operate under a system which has been hastily imposed from above rather than one which has grown in response to grassroot concerns.

The documentation for SACE is both too general to be meaningful and too specific to be workable.

Finally, Mr Seidel states:

There must, however, be a critical mass of opposition which cannot be ignored, particularly as there is a State election looming and the Government is so vulnerable.

It is true that SACE has become a topic of discussion for faculties and whole staffs, P & F and Old Scholar Associations, school boards and teachers unions, politicians and concerned individuals.

If all the privately whispered one-to-one grumbles were trumpeted publicly in unison, then the SACE walls must surely come tumbling down!

This may be your only opportunity to air your concerns and share your anecdotes in an environment free from the institutionalised intimidation which often exists in the work place.

That is indeed a damning indictment of the South Australian Certificate of Education by that teacher. Obviously, I do not agree with every aspect of the comments made by Mr Seidel, but I must say that I share many of the general concerns that Mr Seidel has placed on the public record in that edition of the *Independent Teacher*. They indeed reflect some of the concerns that I have been expressing on behalf of the Liberal Party for some two to three years about the Labor Government's South Australian Certificate of Education. We have expressed our concerns about the compulsory nature of the Australia Studies component at year 11. We have also expressed our concerns about the effects of that compulsion on our top maths students in that they can no longer do four units of maths at year 11, or level 1 of SACE, as they used to do if they so wished.

The Hon. K.T. Griffin: So much for excellence.

The Hon. R.I. LUCAS: As my colleague says, so much for excellence. We do not say that everybody needs to do two units of maths at year 11. However, we do say that those students who are academically capable and who wish to do two units of mathematics ought not to be prevented from doing that in our Government schools, and there is something wrong with the system that prevents 10 or 20 per cent of students at year 11 from being able to do those two units of mathematics if they so choose.

The only tragedy that I see in South Australia at the moment is that in South Australia so far we have not yet had a member of our tertiary community—one of our universities—or a leader at one of our universities come out publicly and express the concerns I know that they are all expressing privately in South Australia. The debate about the VCE (the Victorian Certificate of Education) in Victoria has been led by an independent person, Professor David Pennington, the Vice Chancellor of the University of Melbourne, who was prepared to come out early and often and speak of his concerns about the Victorian Certificate of Education. As a result of his pressure and of the confidence that he was able to imbue in other academics and others who wished to speak out against the VCE, the Labor Government in Victoria has been forced into embarrassing backdown after backdown. It led the way with compulsory Australian studies in year 11, and it has now backed off from that. It led the way with the dilution of mathematics at year 11, and it has now been forced into a review of that maths curriculum at year 11. Some of the more radical changes that it made to year 12 English in the VCE the Labor Government in Victoria has now been forced by Professor Pennington and others to reconsider.

There are growing concerns in relation to the South Australian Certificate of Education, and this Government needs to address those concerns. It should not continue to adopt its posture of forcing through, before the school communities are ready, these major changes in the South Australian Certificate of Education and in our final years of schooling. I must say that I have had 10 years in Parliament. I have had six years as shadow Minister of Education and I have never had as much correspondence from students on any educational issue as I have had on the South Australian Certificate of Education. As shadow Minister of Education, I know that there are dozens of issues about which teachers, principals, parents and businesses complain, but the South Australian Certificate of Education is the first issue on which I have had a significant response from South Australian students, who complain about various aspects of it.

The last area I want to address is that of special education. Earlier this year on a cold and bleak Adelaide night I attended a protest meeting in the inner western suburbs of Adelaide. I might add that I did not see any Labor members of Parliament at that meeting on that cold and bleak wintry evening.

An honourable member: A safe seat.

The Hon. R.I. LUCAS: A safe Labor seat, I guess. That meeting was called by a group of parents who were dismayed and concerned about their treatment and the treatment of their children within Government schools. They were members of an association of parents whose children had a disability called attention deficit disorder. They called a meeting in the inner western suburbs and, when I rolled up at 7.55 p.m. to attend that meeting, over 100 people were standing on a footpath outside a small meeting hall, unable to get in.

Those parents had hurriedly to book the hotel across the road, because they had such a response to their protest meeting that they could not fit the people into the meeting hall. So, some 300 or 400 parents piled into a hotel in the inner western suburbs to pour out their hearts about their concerns for their children and the problems they faced in the Government school system. If any member had been there, they could not have failed to be moved by the tragic stories told by students themselves

but, more particularly, by the mothers and fathers of those students. Parent after parent went out to the front of that meeting and recounted their own tragic tale, their problems with the Education Department, their problems with the Labor Government, and the lack of emphasis on special education. Eventually, many of them broke down in tears as a result of the stresses and pressures on them and, more directly, on their children.

About that time or a bit before that meeting, I raised the tragic story of one such child, but in the time available I will not go through all that detail. That parent indicated that for four years in the Government school system she tried to have the problem of her child identified and recognised by her local schools, and she ran into brick wall after brick wall. Eventually, she got tests done and the school refused access to those tests.

I asked a question of the Minister of Education, and the Minister refuses, in effect, to respond directly to those questions and says that what I said or what that parent was saying was not correct—that the results were refused. That is tantamount to saying to that mother, 'You are lying; what you have told the shadow Minister of Education and everyone else is not correct. You are lying.' I know that mother; I know the tragedy of the situation in relation to that family; and I know the detail of the case, and they will be dismayed when they see the sort of response from a Labor Minister of Education.

I asked whether or not funding cutbacks had been instituted in the southern area, and I got education gobbledegook from the Minister of Education or his lackeys which talks about specific funds being available to provide training and development. It does talk about the cutbacks, or the level of funding; it ignores the question. I asked what could be done to prevent this sort of thing occurring in the future, and again we got a non-response, in effect, from the Minister of Education. When that mother and the hundreds of other mothers and fathers in that group get copies of this response from the Minister of Education, they will be dismayed that a Labor Minister of Education could treat them so cavalierly and ignore their concerns in the way that he has done.

This is in an area—down in the southern suburbs through Hackham and Christies Beach and all those areas—where the Minister's own experts last year (the guidance officers and the speech pathologists) wrote a confidential report which said that there were 1 500 students with severe learning difficulties in that area alone who were experiencing difficulty in coping with school. Many of those 1 500 students (these are the experts saying this) enter year 3 at school at the age of eight without having mastered the basics of reading. It is an absolute disgrace, that in one area of South Australia—not the whole of South Australia—the experts in the department can identify 1 500 students with severe learning difficulties, many of whom have not mastered the basics of reading.

And what do we get from the Minister of Education? What do we get from a Labor Government pledged to provide equal opportunity and social justice in one of the heartlands of Labor? We get nothing. We get educational gobbledegook in relation to the questions we ask in Parliament; we do not get any response in detail at all. Basically, the concerns of those parents have been ignored. So, we will have a situation continue in South Australia, if we continue with the Labor Government, with John Steinle, a former Director-General of Education, saying 18 months ago that we have over 300 000 adult South Australians suffering literacy problems.

This was said by a former Director-General of Education: that 300 000 adult South Australians suffer literacy problems and that 167 000 South Australians suffer such a severe literacy problem that they cannot function properly in the community. They cannot read signs or sign documents, and another 150 000 adult South Australians suffer literacy problems to the degree that they are unable to undertake retraining and training programs and seek and win promotions or to seek a change in employment.

So, when we have over 300 000 adult South Australians being identified as having literacy problems, not by the Liberal Party or some lackey of the Liberal Party but by an independent, respected former Director-General of Education, Mr John Steinle, then we do have a problem. Indeed, we have a significant problem and a problem which, after almost a quarter of a century of control of our Government schools by Labor Administrations can only be changed by a new Government, a new Liberal Administration, with a vision for the future, with new policies and new directions, prepared to give priority within education spending to the early years and to special education in particular.

Time does not permit me to go through some detail on the speech pathology time bomb that is confronting South Australia. However, I seek leave to have incorporated in *Hansard* two statistical tables in relation to the waiting lists for speech pathology help that children with speech pathology problems are confronted with at the moment.

Leave granted.

HEALTH COMMISSION HOSPITAL AND COMMUNITY HEALTH CENTRES (CHC)

Facility	No. Waiting	1st Appointment	Therapy
Clovelly Park CHC	N/A	N/A	N/A
Adelaide Children's	—	6 weeks	Unable to serve some specialist services
Lyell McEwin	+50	10 months	Immediate referrals only to 3 years
Flinders Medical	41	8 months	Straight away but restrictions on frequency
Munno Para CHC	+10	4 months	—
Tea Tree Gully CHC	8	5-6 weeks	Average 8 months from first contact
	17*	6.5 months	Restrictions on language disorder classes
Gilles Plains CHC	—	2 weeks	Straight away. Don't take Ed. Dept clients or Intellectually Disabled groups
Adelaide Hills CHC	6	4 weeks	2-3 months
	8†		Can't provide weekly therapy

Facility	No. Waiting	1st Appointment	Therapy
Salisbury CHC	N/A	N/A	N/A
Ingle Farm CHC	20	3-6 months	2-4 months. Only provides service to clients in the area
Noarlunga CHC	20-30	2 months	—

NOTES:
Of the above Community Health Centres that failed to provide statistics, Clovelly Park CHC declined to participate in the survey, while figures for Noarlunga CHC and Salisbury CHC were unavailable to hand.
* Tea Tree Gully CHC maintains a two-stage waiting list with eight clients waiting for stage I assessment and 17 other clients waiting for stage II assessment. This facility has the capability for 'queue jumping' by clients whose needs are particularly urgent.
† Adelaide Hills CHC figures are current only to March 1992. There were then six clients waiting for initial assessment and eight clients awaiting treatment.

CHILDREN'S SERVICES OFFICE—WAITING LISTS FOR SPEECH PATHOLOGY

Facility	No. Waiting	1st Appointment	Therapy
Western	+60	4 months	Immediate restriction on frequency of treatment
Eastern	+60*	4 months	Similar to Western area, however numbers thought worse
Southern	32	2 months	2-3 months. Some work delegated to kindy staff
Northern	80 (approx.)	10 months†	Therapy was immediate

NOTES:
* Official figures for the CSO's Eastern Metropolitan Region Office were not available, however, professionals within this area indicate the totals in numbers of persons waiting for assessment, and waiting times for assessment and therapy are similar, if not slightly worse, than those of the Western Region Office.
† This figure was the position at the stage when this Region Office closed off its waiting list, with a review of that decision scheduled for October 1992.

The Hon. R.I. LUCAS: From a quick look at those tables, members will see the dire straits that we are experiencing in relation to access to speech pathology in South Australia. I conclude my Address in Reply contribution by indicating that in my own area, in relation to education, I have addressed only two topics. In the area of the condition of the State generally and the economic basket case of an economy that this Labor Administration in Adelaide and Canberra have inflicted upon us, the only way we can now, after a quarter of a century of Labor rule and domination, change South Australia for the better is by the removal of this Government and this Premier in particular, and the election of a new Liberal Administration under Dean Brown and a new Liberal Cabinet with new ideas, new directions and new visions, prepared to tackle these pressing problems and at last do something for the working men, women and children of South Australia who have been tragically ignored by the Labor Party—a Party supposedly committed to social justice and equal opportunity for all.

The Hon. M.S. FELEPPA: In supporting the motion for the adoption of the Address in Reply I wish, first, to express my personal gratitude to Her Excellency the Governor for officially opening this new session of Parliament. I would like to join Her Excellency in expressing my sympathy to the relatives of the past members of this Parliament, Mrs Steele and the Hon. Mr Shard. As did the Hon. Mr Lucas, I also place on the record my appreciation for the long service of the just retired Clerk, Mr Clive Mertin, who made an excellent contribution to this Parliament. I also take this opportunity to place on the record my congratulations to the former Deputy Clerk, Ms Jan Davis, on her elevation to the position of Clerk. I am sure that we all agree that Ms Davis has demonstrated her excellent experience in this field, and I am sure that she will continue to contribute in the many years to come.

It is not a coincidence that this Parliament set an example to the rest of the country, that women have equal opportunity in their professional careers. In fact, Ms Davis's appointment is the first female appointment to the position of Clerk in Australia. Likewise, we set such an example when this Parliament nominated as its President of the Council the Hon. Anne Levy. So, this is a precedent created in this State and represents an acknowledgment that women have equal rights in our society.

In today's contribution, as part of my Address in Reply, I will speak about unemployment, particularly youth unemployment, which, undoubtedly, has become a very concerning problem not only for the Federal Government but also for State Governments and the community as a whole. This has hit hard during the present recession and people at all levels of education and of all ages have been stricken by it. It is like being stricken by a virus in the economy which cripples the economic health of the family, the individual and the community as a whole.

As I said, I will focus my attention on youth unemployment, not that adult unemployment is of less relevance. However, youth unemployment represents special problems which must be addressed, as the youth of today represent the future of this country. In the past we have been able to get stormy times under control and I am confident that we will remain able to get under control the current problem and become economically healthy again. In the meantime, we should make an effort to survey our present situation and try to lay plans to overcome youth unemployment.

At present teenagers between the ages of 15 and 19 years make up 54.3 per cent of the labour force in our State, and this involves some 56 700 teenagers. The rest of the teenagers in that age group who are not yet into the work force number 47 600, and sooner or later they will have to be accommodated. Of those in the work force, 16 600 are unemployed. These figures can be

further broken down into those who are looking for full-time or part-time work; and then there are those who are doing part-time work and undertaking some kind of training. After looking at the statistics, we should concentrate on the 16 600 who were unemployed as at May 1992. That represents 1.4 per cent of the total South Australian population, 2.3 per cent of the total labour force, 15.9 per cent of the teenage population between the ages of 15 and 19, and 29.3 per cent of 15 to 19 year olds in the labour force. As these comparisons get smaller the percentage rises slightly, but the significant figure is 29.3 per cent, because they are the people out there who are competing for the jobs when they become available in the workplace.

These are the figures and, as statistical analyses, they can tell us a great deal about the state of youth unemployment in South Australia. I seek leave to have these figures, which are of a purely statistical nature, inserted in *Hansard*.

Leave granted.

LABOUR FORCE STATUS OF THE CIVILIAN POPULATION AGED 15 TO 19: FULL-TIME ATTENDANCE AT SCHOOL OR A TERTIARY EDUCATIONAL INSTITUTION, MAY 1992

	Employed		*Unemployed*					*Civilian*		*Unemployment*	
State or Territory	*Full-time workers*	*Total*	*Looking for full-time work*	*Looking for part-time work*	*Total*	*Labour force*	*Not in labour force*	*population aged 15-19*	*Unemployment rate*	*population ratio*	*Participation rate*
				'000						per cent	
ATTENDING NEITHER SCHOOL NOR A TERTIARY EDUCATIONAL INSTITUTION FULL TIME											
New South Wales	86.9	106.6	34.1	*1.1	35.2	141.8	14.0	155.8	24.8	22.6	91.0
Victoria	43.3	59.8	33.6	*0.5	34.1	93.9	7.5	101.4	36.3	33.6	92.6
Queensland	54.5	66.6	17.6	*0.6	18.2	84.8	9.5	94.3	21.4	19.2	89.9
South Australia	15.6	23.9	11.9	*0.6	12.5	36.4	3.2	39.6	34.3	31.6	92.0
Western Australia	30.7	37.5	11.4	*0.5	11.8	49.4	4.2	53.6	24.0	22.1	92.1
Tasmania	7.5	9.8	2.9	*0.0	2.9	12.7	1.4	14.1	23.1	20.9	90.3
Northern Territory	*1.6	3.2	*0.2	*0.0	*0.2	3.4	*1.3	4.6	*5.0	*3.6	72.9
Australian Capital Territory	2.9	4.3	*0.3	*0.0	*0.3	4.6	*0.3	4.8	*6.2	*5.9	94.6
Australia	*243.0*	*311.7*	*111.9*	*3.2*	*115.2*	*426.9*	*41.3*	*468.2*	*27.0*	*24.6*	*91.2*
ATTENDING TERTIARY EDUCATIONAL INSTITUTION FULL TIME											
New South Wales	*2.2	21.9	*2.2	*4.2	6.4	28.3	38.5	66.8	22.5	9.5	42.3
Victoria	*0.3	20.5	*2.0	*3.7	5.7	26.2	31.4	57.5	21.8	9.9	45.5
Queensland	*1.2	18.0	*1.7	*1.9	3.6	21.6	21.8	43.3	16.6	*8.3	49.8
South Australia	*0.1	7.7	*0.6	*1.7	2.2	9.9	8.2	18.0	22.5	12.3	54.7
Western Australia	*0.1	8.5	*0.8	*1.3	*2.1	10.6	11.9	22.5	*19.9	*9.4	47.1
Tasmania	*0.3	1.8	*0.2	*0.2	*0.4	2.2	2.6	4.8	*17.8	*8.3	46.6
Northern Territory	*0.4	*1.4	*0.1	*0.0	*0.1	*1.5	*0.8	2.4	*8.0	*5.2	*65.1
Australian Capital Territory	*0.0	2.1	*0.0	*0.3	*0.3	2.4	3.2	5.6	*12.1	*5.2	43.0
Australia	*4.5*	*81.8*	*7.6*	*13.2*	*20.8*	*102.6*	*118.3*	*220.9*	*20.3*	*9.4*	*46.5*
ATTENDING SCHOOL											
New South Wales	*0.3	51.1	*0.8	8.2	9.0	60.1	156.0	216.1	15.0	4.2	27.8
Victoria	*0.0	41.8	*1.6	10.7	12.3	54.1	120.9	175.0	22.8	7.0	30.9
Queensland	*0.5	31.1	*0.9	8.5	9.4	40.6	65.1	105.7	23.3	8.9	38.4
South Australia	*0.0	8.5	*0.5	*1.4	*1.9	10.4	36.4	46.8	*18.1	*4.0	22.3
Western Australia	*0.0	14.1	*0.6	4.0	4.5	18.6	32.7	51.3	24.4	8.9	36.3
Tasmania	*0.0	2.9	*0.9	*0.4	1.3	4.2	12.5	16.7	31.2	7.8	24.9
Northern Territory	*0.0	2.4	*0.0	*0.0	*0.0	2.4	3.2	5.6	*0.0	*0.0	42.7
Australian Capital Territory	*0.0	4.5	*0.1	*1.3	1.4	5.9	8.3	14.2	23.9	9.9	41.7
Australia	**0.8*	*156.4*	*5.3*	*34.5*	*39.9*	*196.2*	*435.2*	*631.5*	*20.3*	*6.3*	*31.3*
TOTAL											
New South Wales	89.3	179.6	37.1	13.5	50.6	230.2	208.6	438.8	22.0	11.5	52.5
Victoria	43.5	122.0	37.3	14.8	52.1	174.1	159.8	333.9	29.9	15.6	52.1
Queensland	56.3	115.8	20.2	11.0	31.2	146.9	96.4	243.3	21.2	12.8	60.4
South Australia	15.7	40.1	12.9	3.7	16.6	56.7	47.8	104.5	29.3	15.9	54.3
Western Australia	30.8	60.1	12.7	5.8	18.5	78.6	48.8	127.4	23.5	14.5	61.7
Tasmania	7.8	14.5	4.0	*0.6	4.6	19.1	16.5	35.6	24.3	13.0	53.7

TOTAL

Northern Territory	*1.9	7.0	*0.3	*0.0	*0.3	7.3	5.3	12.6	*4.0	*2.3	58.0
Australian Capital Territory	2.9	10.9	*0.4	1.6	2.0	12.9	11.7	24.6	15.4	8.1	52.4
Australia	*248.3*	*549.9*	*124.9*	*51.0*	*175.8*	*725.8*	*594.8*	*1 320.6*	*24.2*	*13.3*	*55.0*

LABOUR FORCE STATUS OR CIVILIAN POPULATION AGED 15 TO 19: SOUTH AUSTRALIA

	Unemployment Rate (%) *(a)*	Unemployment Rate (%) (full-time work) *(b)*	Labour Force *(c)*	Civilian Population *(d)*	% Population in Labour Force (Participation rate) *(e)*	Attending School *(f)*	% Population Attending School	Attending Tertiary Educational Institution (full-time) *(g)*	% Population attending Tertiary Educational Institution (full-time)
May 1981	19.1	N/A	78 300	(116 172)	67.4				
May 1982	19.7	N/A	77 400	(112 990)	68.5				
May 1983	18.1	27.5	72 400	(113 125)	64.0				
May 1984	15.1	25.6	71 400	(112 270)	63.6				
May 1985	17.8	20.9	71 900	(112 340)	64.0				
May 1986	19.4	23.6	72 100	112 915	63.7	43 489	38.5		
May 1987	22.0	25.9	69 500	(114 500)	60.7				
Nov. 1987	18.9	22.8	66 300	(114 310)	58.0				
May 1988	18.2	22.6	71 200	(114 470)	62.2				
Nov. 1988	14.4	16.7	72 500	(115 080)	63.0				
May 1989	16.5	17.3	73 700	114 400	64.4	46 400	40.5	13 000	11.4
Nov. 1989	14.8	16.6	71 500	(113 130)	63.2				
May 1990	18.3	21.3	68 900	111 900	61.6	43 300	38.6	14 300	12.5
Nov. 1990	16.8	21.2	67 200	(109 980)	61.1				
May 1991	20.2	27.5	64 000	108 100	59.2	47 300	43.7	16 100	14.9
Nov. 1991	22.6	30.7	58 000	(104 882)	55.3				
May 1992	29.3	45.0	56 700	104 500	54.3	46 800	44.8	18 000	19.2

Sources: *(a)* Labour Force, South Australia (6 201.4); Table 11
(b) The Labour Force, Australia, preliminary (6 202.0); Table 9
(c) Labour Force, South Australia (6 201.4); Table 3
(d) Australian Bureau of Statistics Labour Force Survey (unpublished data) or, when in parentheses, calculated from sources used for *(c)* and *(e)*
(e) Labour Force, South Australia (6 201.4); Table 4
(f) Australian Bureau of Statistics Labour Force Survey (unpublished data)
(g) Australian Bureau of Statistics Labour Force Survey (unpublished data)

The Hon. M.S. FELEPPA: I also have the source statistics from which the figures I have given were derived, but I do not ask that they, too, be incorporated. Those figures do not show the strivings of these young people who, of course, are disappointed with the situation in which they are placed. To put a human face on these figures and percentages, one simply needs to go to any Commonwealth Employment Office and see for themselves the searching faces of these unhappy young people who want to work but cannot find any. As a matter of fact, I have sometimes experienced hundreds of young people waiting for an interview, possibly for one or two vacant positions, and have observed how frustrating unemployment can be. One almost feels the anger at being in a situation in which individuals unfortunately seem to be trapped, with little chance of escape from that unpleasant situation. I would say that that is really the current human face of unemployment.

The state to which the economy has unfortunately sunk and the poor state of employment has been years in arriving. I think that one of the causes of unemployment is unquestionably the introduction of modern technology that has been taken into industry and commerce generally. These technical changes have been coming gradually into industry, mainly the major industries of South Australia and Australia as a whole, and they have affected the economy for some years now. The advent of these technical changes was in recent years viewed with some degree of reluctance, or with wonder I should say, and its adoption was deferred, where possible. It presented changes in thinking and it needed new attitudes which were difficult to adopt.

Now that the technical change has arrived, however, and has been here for more than a decade, it is still hard to accommodate, because we were never really prepared for it. Industry leaders and the whole of the private sector of industry and commerce should have prepared themselves for these changes; they should have gradually over the span of many years prepared their enterprises for the changes not only in raw materials but also in processes and the means of production and particularly for the changes in the work force which make industry more productive in our local markets but also in the ability to compete on overseas markets. Unfortunately, many major industries in the private sector failed to do that and they failed to do what I believe in conscience they were bound to do. They left it almost all to Government to shoulder the burden of failing production and unemployment. At the same time, in all conscience, I would be wrong to attribute completely all the problems of our failed economy to this lack of preparation for the technical change to which I have referred. I believe there is more to the economic recession than that.

This failure does, however, have a real and deep impact on the efficient employment of the labour force and it is this that concerns me most. More particularly, as I have already indicated, my concern is for the preparation of young people for employment and the conditions of their employment. A number of analyses have been prepared as to the present state of youth unemployment, but interpretations, at least in my view, depend on one's position in the community and one's point of view and philosophy on this matter. For instance, there are business leaders and their associates on one side and the work force, trade unions and their associates on the other. Of course, we have found that the Government has been sandwiched in between. It has been hit hard with flak from both sides.

Further, I believe that the business sector more recently has teamed up with the Coalition. They hold the view that youth wages are too high and should be reduced to create employment and that training is needed by youth before entering the work force. They believe this training should also be financed by the Government with non-payment for off-the-job training. I wish to provide an example of this view put forward by one of the leading conservative groups, the H.R. Nicholls Society, which in current months has spent a great deal of money in advertising its opinion.

As a matter of fact, in an advertisement in the *Sunday Mail* of 5 July this year, it stated:

> Young people have literally priced themselves out of the job market.

It makes an assertion without proof and apportions blame to the young people. I believe there is more to youth wages than that. An article in *Australian Society* written in 1985 reports:

> The Federal Liberal Party claim that excessively high youth wages are a major cause of youth unemployment.

It has been saying just that ever since. The article goes on to observe:

> In the exchange that followed, no-one pointed out that many young workers already toil for only slightly more than half the minimum wage.

In addition, Mr Ray Evans, speaking for the H.R. Nicholls Society, said:

> The H.R. Nicholls Society has been at the forefront of a movement towards more workplace freedom.

I question Mr Evans because he does not say for whom this sort of freedom is to be. He says further on unemployment:

> Trade union demand for higher and higher pay and the industrial tribunal's willingness to enforce those demands have been the cause of this catastrophic problem. Get rid of compulsory interference by trade unions and tribunals and have full employment or continue with the present system and have more bitterness and more misery.

One cannot avoid thinking that those assertions are without foundation, but I for one see a hidden agenda in them. The freedom that they are talking about is possibly freedom for the members of their society and perhaps for others like them to exploit unfettered the working class under the guise of creating employment. Simply to assert that full employment would follow shows, at best, a naive view of the economic problems or, at worst, a deliberate attempt to deceive the public for the sake of their hidden agenda, to which I referred a moment ago. That is the portion that hurts me, because we know that all members of their society are professional and very intelligent people, and I believe these views cannot be attributed to naivety.

On the other side, the Australian Council of Trade Unions holds an opposite view on youth wages. It says:

> ... there is no evidence that the junior and adult wage relativities contribute significantly to youth unemployment.

Further, a study in the United States has found that:

> ... increases in minimum wages have contributed to the rise of youth unemployment although the minimum wage cannot account for the bulk of youth unemployment.

The rise in youth wages has minimal effect on youth unemployment. That is the effect of a rise in wages, but Mr Bill Kelty, the Secretary of the ACTU, holds the view that a drop in youth wage would not create jobs but simply displace higher paid workers with cheaper labour. The Executive Director of the Employers Federation, Mr Matthew O'Callaghan, has a different view. Speaking for the employers, Mr O'Callaghan admits that:

> ... many employers would support a youth wage. But ... there was a danger of shifting the unemployment problem to middle-aged workers.

So, it will be seen that even the Employers Federation's spokesperson recognises the danger of reducing the youth wage as a simplistic solution, but it could be to the employer's advantage, and that is why it supports it.

The Government is in a difficult situation; it has to walk a tightrope between the employers and the employees. We all know that Governments of this country have for a long time recognised the increasing problem of youth unemployment. The Government has been hearing on both sides that it is for the Government to solve these problems as they arise. As I said, the Government feels responsible and recognises that it has responsibilities, but at the same time it also recognises the responsibility of the private sector to shoulder its share of the burden of youth unemployment. In the past, it was the responsibility mainly of the private sector to provide itself with suitably trained employees by way of apprenticeships and on-the-job training while paying a suitable wage for the employee's livelihood. The failure of the private sector to continue training programs has, in my view, over many years, contributed partly to the present problem of youth unemployment. Of course, the problem has now been loaded on to Governments, and they are expected to solve it.

Let us consider for a moment the argument that the problem of youth unemployment will be solved if youth wages are reduced, as the Federal Leader of the Liberal Party advocates. The basic wage was set many years ago on the following principles, as you would recall, Mr President: men's adult wages are paid according to the special needs of a family and a margin is added for their work skills. Other benefits in working conditions have been gained by the workers over the years since the basic wage formula was laid down. Women were paid on the basis that they only had themselves to support. They were not paid on equality of skills, and women have struggled ever since, with some success, for equality in the workplace. Youths were paid on the basis that they did not support anyone else and that they were dependent on their parents. This thinking is entrenched and unfortunately still lingers behind all the arguments about the level of wages and particularly the argument that youth wage levels are too high.

As a former trade unionist, let me draw attention to something which was established in 1934 by Chief Justice Dethridge of the Commonwealth Arbitration and Conciliation court, who said at that time:

> ... rates for juniors should be high enough to maintain them but not high enough for extravagance ... The rates should have some relation to the probable cost of living and therefore the amount of the basic wage ... The most advanced junior has not, as a rule, any family responsibilities and his rate should be materially less than the basic wage.

For youth, that formula still applies today. How many 15 to 19 year olds receive even the basic wage? To my knowledge, juniors receive their wage set at a level according to age, not ability. To suppose, therefore, that youth wage levels are the cause of youth unemployment and that the solution to youth unemployment is to cut the wage to $3 or $3.50 (I do not remember exactly), as the Leader of the Federal Liberal Party proposes, is to argue for the employer's advantage and the employee's disadvantage without—and that is my concern—a real solution to youth unemployment. It has been realised for some time that a 10 per cent increase in the minimum wage lowers youth unemployment by between .05 and 1.5 per cent. The inverse is argued to be true: lower the minimum wage and more youth will be employed. My view is that this is not necessarily true because if, for example, an employer employs two people, by reducing the wage to those two employees to half, the employer will not necessarily put on additional workers without first having the capacity to generate extra work.

Therefore, I would imagine that there are some unscrupulous employers who would simply pocket the difference in wages and not necessarily take on extra workers. Clive Brown, President of the Trades and Labor Council, said that he was pleased that the Western Australian State Industrial Commission rejected the simplistic argument put by the employers that an across the board 10 per cent cut in youth wages would create jobs. A cut in youth wages may lead to a few more juniors being employed, but only at the expense of older-age workers. The overall employment problem would not benefit. A cut in youth wages is no solution whatsoever. Writing in *Australian Society*, Bob Hoernel argues that there are psychological and sociological effects that should be taken into account in considering a youth wage and the youth/adult wage differential, and I quote:

> (It) not only kills incentive but contributes to a lower perception of self-worth (psychological) and leads to an attitude based on 'playing' the system (sociological). In turn this leads to a negative stereotype of young workers. Other negative effects range from general alienation to actually diminishing job prospects of the young.

For economic and social reasons the solution to youth unemployment certainly does not rest simply with reducing youth wages, which would put them at the mercy of the employer and also disadvantage adult workers.

Turning now to another aspect of youth unemployment: the preparation of youth to enter the work force will not solve youth unemployment in the immediate future, but it is an important strategy for the future. Training young people should be shouldered by the private sector, because it is in the private sector that training mainly should take place and it is the private sector that reaps the benefit of youth training. Because of the lack of training in the present circumstances, responsibility is falling on the shoulders of the Government. The Government has demonstrated its responsibility and it has looked closely at the needs of young people in education and training, through the Finn report, the Deveson report, the Carmichael report and a number of other inquiries and reports. The outcome of all these inquiries is interesting and relevant to the present circumstances. Traditionally, education has a range of purposes, which can be summed up as follows:

The development of young people as individuals, shaping them as good citizens.

The preparation of young people in a general way for work in the world as workers, employers or entrepreneurs.

Each one of them goes a different way in seeking employment or making their own way in future. The idea that education ends at the age of 15 and that training and further education is undertaken after leaving school was rejected by the Finn report. The basic theory of education as a general preparation for life has been modified by the recommendations of the report. The report sees education and training for employment as overlapping in secondary school, particularly in years 11 and 12, which are a preparation to undertake post-secondary training in a trade or profession. Further, the Finn report holds that the basic theory of what the situation should be is:

> The curriculum must be broad and balanced with an appropriate mix of general and vocational education and theoretical and applied studies; and that the school and TAFE programs should be coherent and broad enough to incorporate key competencies.

We now have this new concept of 'key competencies' which has pervaded most of the reports of the committees to which I referred. The simple definition of 'competency' as it was once accepted is 'being properly qualified for the task'. That once sufficed before the burst of technology invaded industry and commerce. Now there is a need for a more complex definition of competency, requiring proper analysis and a deeper understanding of this terminology. Competency is the ability to perform specialised tasks, with a knowledge and specific understanding of those tasks and, in addition, the ability to transfer skills, knowledge and understanding to new situations. This new definition of competency is almost a new definition of 'being educated'.

The Finn report envisages that, when a satisfactory competency is achieved, irrespective of age, the full rate for the job should be paid. There are several elements in being competent and these elements are called key competencies. The key competencies are literacy and numeracy, together with the ability to do what is required with knowledge and understanding of the how and why. Then there is knowing and understanding the cultural setting in which one lives and works. Also, one must be adept at problem-solving and be able to engage in human relationships without conflicts and stress. This is a totally new concept of being educated. While it is a grand concept of education and training, which will produce a person well suited to be taken into employment, training in itself will not create further opportunities for employment. Training would be without point if there were no jobs at the end of one's education. Training must be linked to job opportunity in both the private sector and public sector, but more particularly in the private sector, where production for consumption, export and profit is mostly located.

So the question that I ask is: who pays for this extended education which may go on over the age of 22? Employers, one would expect, would say that it is up to the Government to meet the costs of education and training, although from what has been recently in the media, both the print and television media, employers are realising that the Government cannot afford to stand alone the cost of education and training as advocated by the Finn report, and businesses realise that they must take up that task. To this extent, we have the view of the United Trades and Labor Council, which has offered the following answer. It strongly believes that the cost of the provision of training is not something which the individual must bear. Industry must make contributions towards the training of the work force as they, the employers, benefit from the availability of a well trained labour force. To ensure that access to training is not left solely in the hands of those who are able to afford it, or to industry to determine who gets trained and who does not, Governments must also contribute to the provision of adequate and appropriate training. This places the primary responsibility on the private sector and those who are able to pay, while the Government's role is to share out opportunities and make training possible where otherwise training might not be available. The Government mainly shoulders the welfare side of training needs.

In recent days the Federal Government has taken the debate on youth unemployment to the public forum. Earlier in July, as members would recall, the Federal Liberal Party rushed to have its own public meetings to beat the Prime Minister to the punch. It supported training for youth, which was not new to the public, because of the number of reports which have been published on the subject and which I listed before. However, I think the Federal Liberal Party sunk its credibility with its proposal for a poverty wage for youth, which also was not new as it had been on the employers' agenda for years. So nothing that was offered by the Federal Liberal Party was acceptable to youth, and nor to their parents, and working people on the streets obviously rejected its proposal. What was proposed would in no way create any employment. Instead, what the Prime Minister has given us from the Job Summit is a comprehensive scheme of job training so that people will be fit to take their place in the work force.

To some extent the scheme involves wage levels that will apply to youth but, more importantly, it links wage levels to competency. It is not just a simple, one-track solution. There are several strands to the scheme, and it is this diversity that points to its possible success.

The broad aim is to give young people skills, competence and, above all, confidence in themselves for their own development and for the benefit of any employer. The aim, too, is to assist 100 000 young people in training schemes of various kinds. One strand has as its principal feature:

> An offer to all long-term unemployed young people of a six-month vocational training course, with a JobStart funded place on completion, giving employers a wage subsidy to employ a young person, with funding provided for 35 000 places.

Of the 100 000 young people whom it is aimed to train JobStart will assist one-third of this number. It is an offer that may or may not be taken up by youth. There is no direct compulsion. On completion, jobs will not be handed out, but the subsidy will be an incentive to employ that young, trained person.

A JobStart card, as we have been told already, will be provided to inform a prospective employer of the amount of subsidy the employer can receive if that young person is employed. JobStart will be supplemented by special counselling where needed and remedial learning assistance for those special cases. Along with JobStart, there will be also JobTrain and SkillShare, which are similar schemes of preparation and encouragement for employment.

Where there is a wage assisted scheme like JobStart there needs to be some warning to employers. This warning should not restrict the employment of young people but it would protect them from exploitation. If it does discourage employment by a particular employer, so much the better. If an employer dismisses a young person when the subsidy runs out, the employer should be expected to justify the dismissal before another young person is let into the same situation.

Without emphasising this, I am sure that other members of Parliament have received complaints, as I did, that some unscrupulous employers have done this sort of exercise, abusing the scheme.

JobStart is seen as a scheme for the more immediate future. Along with these more immediate opportunities for training there will be a longer-term scheme to fit students who are still at school to be better prepared to enter the work force. An Australian National Training Authority will be established, which will:

> . . . provide assured funding arrangements, a consistent national approach to training policy, close involvement of industry and encourage the growth of a high quality network of training providers.

The authority will provide young people entering the work force with an Australian vocational certificate. The certificate will be earned on the basis of competence rather than the age of the person or time spent in work and study. It is expected that there will be a number of pilot schemes to discover which is the best methodology by which the Australian vocational certificate can be earned.

The Commonwealth Government is committed to funding all pilot proposals that meet certain conditions. This scheme will not operate immediately. It must happen in transition and provision will be made for a total of $43.6 million over this year and the next two years to develop the infrastructure essential to underpin the changeover to the Australian vocational certificate. Since it cannot start immediately, a career start traineeship system will provide a bridge that will enable the industrial parties to move from existing training arrangements to the Australian vocational certificate.

In the past, industry had difficulty in the change from the intermediate, leaving and leaving honors certificates to the more detailed high school certificate. It should be noted that it may be more difficult for the employer to change in assessing from the high school certificate to the Australian vocational certificate. Employers should be targeted to ensure that they are competent to assess a person from his or her Australian vocational certificate. Landcare and environmental action programs will also feature at the short-term JobStart level and should be part of the long-term training for the Australian vocational certificate.

Another young group will receive special consideration. They are the 'at risk' young people. They are at risk because of poverty, unemployment, family dislocation, violence, distress or homelessness. Special provision is made for these people. The general response to the Prime Minister's offer and his commitment to the plight of young people is that, at last, something will be done—and I hope that it will be done quickly. There are possibilities; they are hopeful.

As for employers, Mr Keating said that he is impressed by the willing response of so many of Australia's leading employers. However, the media reports from a few days before the jobs summit to a few days after show a change from mild eagerness to very guarded acceptance. On 20 July there was some backing by South Australian groups, but by the *Advertiser* of 28 July stated:

> . . . business leaders gave Mr Keating's announcement a lukewarm reception. Employers said it did not go far enough to encourage business to take on young workers.

The Executive Director of the Employers Federation of South Australia, Mr Matthew O'Callaghan, is reported as saying that he had concerns and reservations about the scheme. It seems that employers have gone from warm to cold on the Government's plans. The schemes to train and bring young people into employment are positive and are pointed in the right direction. When all these strands are drawn together, results should follow.

The Government has been challenged from all sides to do something, and the Government has acted readily and responsibly in a very real way. But, certainly, overcoming youth unemployment will not succeed by the efforts of the Government alone. Ultimately, success will be in the hands of the private sector employers who can wreck the proposed schemes if they lack the goodwill to have them succeed. Employers have that kind of power. The Government has done its best and has put hope on the human face of the long-term young unemployed. The gloom has been lifted: the frown is fading. It is now up to the employers to put a smile on the face of the unemployed.

I now turn to another aspect of economic recovery. The key to economic recovery is production. Producing what the consumer needs is the key to economic recovery, and production is the responsibility mainly of the private sector.

The Hon. J.F. Stefani interjecting:

The Hon. M.S. FELEPPA: I would agree with the honourable member. They must find out what is needed and produce it. Maintaining employment is essential, but it is secondary to production in keeping the economy on the move. Providing employment for the young people is part of maintaining the economy on an even keel. If young people have difficulty in finding employment, the economy will gradually run down and, if a large number of people are out of work, we will be in a depression and we will again live the experience of current times.

Both production and employment are not only economic responsibilities: they are also moral responsibilities. The private sector wants to be, I am sure, as free as possible to operate the means of production—and that is how it should be. However, when manipulation of the economic system is carried on for the benefit of the investors to the detriment of the labour force, then the Government has an absolute responsibility to step in and endeavour to regulate the responsibility that has been abdicated or neglected. When there is a lack of moral responsibility, there is a need for legal obligation.

The private sector must strike a balance between the benefits that accrue for the owners and shareholders of the business and the responsibility that it has towards the labour force, their creditors and taxation. When this balance is struck there is equity in the economy and harmony in the community. When this economic equity fails, both sides suffer.

The labour force suffers because households cannot meet their needs and commitments through the goods and services market, and pain is felt by the people and the household. Businesses and shareholders suffer equally because demand falls, production is reduced and the economy goes into recession. Business and shareholders suffer through their pockets. Businesses have suffered in all past recessions and have suffered in their particular way as badly as the labour force has suffered. Benefits on both sides of the economic equation should be the aim rather than the suffering that might be endured. By business heeding the needs of labour and labour responding to the needs of the enterprise, those will benefit one another.

In conclusion, the road ahead for economic recovery will not be smooth: it will be a rock-strewn road. Unfortunately, there is no simple formula. There must be a lot of soul searching. But, if we can get together the issues of wages and training, job opportunity and conditions and, in good faith on the part of all, make an amalgam of behaviour and compromise to bind them together for the sake of harmony, undoubtedly the economy will get up and recover.

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

ADJOURNMENT

At 5.48 p.m. the Council adjourned until Thursday 13 August at 2.15 p.m.