LEGISLATIVE COUNCIL

Tuesday 4 July 1995

The PRESIDENT (Hon. Peter Dunn) took the Chair at 2.15 p.m. and read prayers.

ASSENT TO BILLS

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

Criminal Law (Undercover Operations),

SGIC (Sale),

Shop Trading Hours (Miscellaneous) Amendment.

INDUSTRIAL AND EMPLOYEE RELATIONS (MISCELLANEOUS PROVISIONS) AMENDMENT BILL

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That the sitting of the Council be not suspended during the continuation of the conference on the Bill.

Motion carried.

BRAY, Hon. Dr J.J., DEATH

The Hon. K.T. GRIFFIN (Attorney-General): With the leave of Council, I move:

That the Legislative Council expresses its deep regret at the recent death Dr John Jefferson Bray, AC, former Chief Justice of South Australia, and places on record its appreciation of his distinguished public service.

Dr John Bray gave very great service to this State. To say that his contribution was enormous and unique and far reaching is to understate the breadth of his contribution. He became Chief Justice in February 1967, following the retirement of Sir Mellis Napier.

John Jefferson Bray was born on 16 September 1912. He was educated at St Peter's College, before graduating from the University of Adelaide with a Bachelor of Laws degree in 1932. In that time he obtained first-class passes and, a year later, became only the second person in South Australia to obtain an Honours degree in Bachelor of Laws. In 1933, John Bray was admitted to the Bar, and in 1937 he became Dr John Bray. A Doctorate of Law is the highest law degree.

Dr Bray became a Queen's Counsel in 1957, and a decade later was elevated to one of the highest offices in the State—that of Chief Justice—which he held until 1978. Dr Bray was an outstanding legal identity—some say the greatest South Australia has ever had—but his exceptional accomplishments did not stop at the law. He was also a scholar, a classicist, a poet and a humanitarian. He lectured in jurisprudence, Roman law and legal history at the University of Adelaide, where he was also Chancellor between 1968 and 1983. His poetry and prose were widely published, and in 1990 he won the non-fiction award for South Australian writers. There was no end to his talents, and it would be impossible to do them all justice here.

Dr Bray was many things to many people. He was loved, respected and admired not just by his family and friends but also by those on the periphery of his extraordinary life. On the one hand, he had a formidable reputation as an advocate over a broad range of legal matters which encompassed criminal trials and the most complex civil litigation. On the other hand, he was known for being patient, courteous and kind to all members of the legal profession, particularly the younger members.

One might think that Dr Bray's exceptional talents set him apart from ordinary people in the community, and to some extent that is true, yet he has been described as a man of the people. There is a hint of that in some remarks that he made on his retirement as Chief Justice in October 1978. He said:

The law has some resemblance to the game of chess, but, of course, it does not exist for the sake of the game but for the attainment of justice and for the service of the people who perish without justice.

Those who knew Dr Bray are privileged indeed. On a personal note, he lectured me in Roman law, and I will always remember the skill and enthusiasm with which he taught the subject.

Suffice to say that Dr Bray was a remarkable man and his loss is keenly felt in the many circles in which he moved. His name and work over a long and active life will be honoured for many years to come. There is no doubt that Dr Bray will go down in history as a learned lawyer and Chief Justice, academic, writer and champion of individual rights. Many would be congratulated on and held in high esteem for their achievements in just one of those spheres, but to have achieved so much in all those spheres is truly extraordinary. On behalf of the Government of South Australia and personally I extend my deepest sympathy to Dr Bray's family and friends during this sad and difficult time.

The Hon. CAROLYN PICKLES (Leader of the Opposition): I support the motion. The Attorney-General has already given us some insight into the life and work of Dr Bray. On behalf of the Opposition, I join in paying tribute to that well-rounded and brilliant man, one of South Australia's greatest lawyers and intellectuals. Because he was so well known and respected as Chief Justice in the Supreme Court of South Australia for 11 years, people tend to remember Dr Bray for the great lawyer that he was.

In 1929, at the age of 17, he began his studies as a law student. Shortly after that, he began his articles to the clerkship, which was a prerequisite to legal practice at that time. After completing his law degree (and I understand that he received consistently high marks and a number of academic prizes), Dr Bray went on to take an Honours degree in Bachelor of Laws.

He continued on directly with his studies and received his Doctorate of Law at the age of 25. He excelled in legal practice, especially advocacy, and was known for his knowledge and proficiency in a broad range of areas in the law. He was appointed a QC in 1957. Having attained prominence in the legal profession, he maintained a reputation for being courteous, helpful and approachable, and I am told that he was unofficially known for some time as the leader of the Bar.

His humanity and his brilliance were obvious to the then Attorney-General in 1967, the Hon. Don Dunstan, who was pleased to appoint him as Chief Justice of South Australia's Supreme Court. Then followed 11 years of notable service as Chief Justice. His judgments were cited even in the House of Lords, and I understand they continue to be cited from time to time. His retirement in 1978 was really only semi-retirement, as Dr Bray continued until very recently to pursue his wide range of studies and interests.

Dr Bray was a great lawyer but he was much more than that: he had a lifelong interest in the classics. This was partly reflected in the choice of subjects in which he taught at the

University of Adelaide, where he lectured in jurisprudence, Roman law and legal history, and from 1968 to 1983 he was also a very distinguished Chancellor of that university. Dr Bray's interest in the classics is also manifested in his works of poetry. He began writing poetry in the 1950s and numerous collections of his poems have been published. His poetry is peppered with references to the great works of ancient Greece and Rome, but his poetry was not all dry or overly intellectual: his poems are spicy, witty and entertaining.

In closing my remarks I not only recall my admiration for this great South Australian but I also extend my condolences and those of my colleagues in the Opposition to the family and close friends of Dr Bray.

The Hon. R.D. LAWSON: I rise to support the condolence motion for Dr John Jefferson Bray. The Attorney-General and the Leader of the Opposition have spoken of some of Dr Bray's considerable achievements, and I associate myself with those comments. In addition, I would like to make a few personal observations about Dr Bray. I had the pleasure of meeting him whilst I was still at university; as an articled clerk I remember hearing him argue a number of cases, including one celebrated murder case in which he secured a famous acquittal. I heard him in his argument before the Royal Commission on the Licensing Act, when he appeared as leading counsel for the Australian Hotels Association.

Dr Bray had an inimitable style of advocacy. When he chose to raise his voice it was a magnificent, deep and rumbling voice. Usually, however, he chose not to raise it, and he was a most quietly spoken man with an almost diffident manner of addressing people. I had the pleasure of his company on many occasions at the bar of the old Amateur Sports Club in the basement of the former Liberal Club building on North Terrace and of drinking with him and many of his friends and colleagues on those most memorable occasions. He was a most amiable person, yet at the same time a most inspiring character.

Of course, I remember Dr Bray as a judge. He was learned in his deliberations and always extremely courteous and a pleasure to appear before. He was never overbearing. He was always kindly in his remarks and his comments. He was encouraging rather than destructive—a comment which might not always have been made of some other judges. He wrote with a superb clarity in a classical eighteenth century English style reminiscent of Edward Gibbon. His judgments are learned. They will be read in the future, as will his poetry. His grasp of legal principle was exemplary. I must say that I regard it as a great honour to have appeared before him.

Dr Bray had a reputation well beyond the shores of this State and this country. His achievements extend beyond the law to literature, to the university and to other organs of our public life. The legal fraternity has lost one of its greatest sons and so has the South Australian community. I also extend my condolences to Dr Bray's family and friends.

The Hon. ANNE LEVY: I rise to contribute briefly to the debate on John Bray. I, too, knew him personally, and had the greatest admiration for him. My dealings with him were certainly not in his capacity as a most distinguished jurist but in that of involvement in literature and the arts. His books of poetry and prose have been mentioned already in this tribute, but I do not think mention has been made of his very long and distinguished service as a member of the Libraries Board. He contributed greatly to the development of the State Library and the public libraries system throughout the State through his many years on the Libraries Board. I am afraid I do not have at my fingertips the dates of his involvement, but Dr Bray was Chair of the board and contributed enormously to the development of libraries in this State. In fact, the main reference library has been named the Bray Library in his memory, and a remarkable bust of John Bray stands at the entrance to the Bray Library within the State Library building as a permanent reminder of all that he contributed in this respect, as in so many others, to this State.

Motion carried by members standing in their places in silence.

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That, as a mark of respect to the late Dr John Jefferson Bray, the sitting of the Council be suspended until the ringing of the bells.

Motion carried.

[Sitting suspended from 2.32 to 2.47 p.m.]

QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to the following questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 161, 165 and 166.

WOMEN, MANAGEMENT POSITIONS

161. **The Hon. ANNE LEVY:** As the annual report for the Department for Employment, Training and Further Education mentions (page 46) that there has been a substantial increase in women in management positions employed under the TAFE Act as a result of changes and programs in 1994, what are and were the numbers of men and women at each management level for those employed under the TAFE Act for the years 1995 and 1993?

The Hon. R.I. LUCAS: The following table provides the numbers and percentage of female and male managers under the TAFE Act as at June 1993 and June 1995.

	June 1993		June 1995	
Classification	F	M	F	M
College Director 1	1.0	5.0	-	3.0
College Director 2	2.0	15.0	-	3.0
College Director 3	-	5.0	5.0	4.0
Education Manager—EM1	6.0	1.0	9.8	6.9
Education Manager—EM2	31.0	44.0	23.8	28.0
Education Manager—EM3	14.0	74.0	26.0	60.0
Education manager—EM4	1.0	5.0	3.0	5.0
Education Manager—EM5	5.0	28.0	5.0	16.0
Totals	60.0	177.0	72.6	125.9
Relativity	25%	75%	37%	63%

Please note there are always vacancies being filled and people acting to cover temporary absences.

SOUTH AUSTRALIAN ASSET MANAGEMENT CORPORATION

165. **The Hon. R.R. ROBERTS:**

1. What assets from the former State Bank has the South Australian Asset Management Corporation (SAAMC) disposed of?
2. What was the price realised for each asset (actual) by SAAMC?
3. What was the cost of each asset to the former State Bank?

The Hon. R.I. LUCAS:

1. As the honourable member would be aware, SAAMC's asset base was created on 1 July 1994 as a result of the corporatisation process of the State Bank of South Australia. The assets within SAAMC consist of all of those assets not transferred into the new entity that created BankSA, together with the residual GAMD portfolio. The asset base consists of minor assets such as fixtures and fittings (including artwork and silverware), some significant and well publicised major assets, including the Myer Centre and 333 Collins Street through to hundreds of millions of dollars in corporate receivables and Treasury liquids, near liquids and other financial instruments needed for the ongoing funding of SAAMC. It is

SAAMC's stated objective to rationalise the assets as quickly as possible for the best price to the taxpayers of South Australia.

There has been considerable rationalisation of the asset base outstanding since 1 July 1994. This rationalisation has occurred in a number of ways including the disposal of unwanted surplus assets including fixtures and fittings, the maturity and repayment of loans in the ordinary course of business, the refinance of loans by certain borrowers ahead of schedule, the rundown of Treasury liquid assets as SAAMC's borrowings have matured and the disposal of various loans and assets under SAAMC's control.

As an indication, the asset footings of SAAMC on 1 July 1994 were audited at $8.4 billion. As at the end of May 1995, asset footings stood at $5.4 billion. Excluding Treasury related assets and minor furniture and fitting style assets, approximately $1.6 billion individual exposures have either matured, been refinanced or sold. As stated in the recent budget papers the above assets have been realised at a net surplus to SAAMC of approximately $60 million after accounting for the administrative costs of running SAAMC.

The honourable member will also be aware that SAAMC's relationship with all its clients is subject to banker/customer confidentiality. As such, communication on individual relationship is not appropriate without that individual customer's consent. In addition, it is understood that protocols were established with the former SBSA and GAMD management in relation to confidentiality applications under the State Bank Act relating to individual exposures. This protocol has continued under the present Government.

2. It is not possible to detail each asset price realised by SAAMC, considering that $3 billion of these assets have been 'sold'. An exercise of such magnitude will require months to complete. In addition, in the case of most asset sales, the negotiated price is subject to a confidentiality agreement mentioned above.

3. The cost of assets to the former State Bank depends upon the definition used, and in particular, whether the cost includes the cost of funds on the moneys originally advanced and which in many cases will not be recovered. Suffice it to say that the large part of the $3.15 billion bail out of SBSA reflects the shortfall due to the original amount advanced or spent on particular assets and their ultimate realisation values.

A further reason for it not being possible to identify the cost and selling parameters for each asset managed by SAAMC is that the bank litigation section operating within Crown Law offices is currently in the process of preparing a detailed case in relation to the litigation currently being undertaken against the former SBSA and Beneficial Finance Corporation external auditors. These details are not yet available but it is expected that the bank litigation section will lodge the details of all major losses arising from transactions with SBSA and Beneficial in the relevant Supreme Court jurisdiction within the next few months and those details of individual exposures will become publicly available at that time.

166. **The Hon. R.R. ROBERTS:**

1. How many people have been employed by the South Australian Asset Management Corporation (SAAMC) since its formation?

2. How many employees have retired, been retrenched or made redundant since its formation?

3. What has been the cost of each retirement, retrenchment or redundancy?

The Hon. R.I. LUCAS:

1. On 1 July 1994 SAAMC inherited a total permanent staff complement of 190. Since 1 July 1994 the following additional staff have been employed by SAAMC—21 transferred from BankSA; 18 new employees.

2. Nil retirements; 34 retrenchments/redundancies.

In addition, the following staff movements have also taken place—14 resignations/completion of contract; 3 transfers to BankSA.

3. Total cost of Australian retrenchment payments is $1 387 529.81.

AUDITOR-GENERAL'S REPORT

The PRESIDENT: I lay on the table the supplementary report of the Auditor-General for the year ended 30 June 1994.

PAPERS TABLED

By the Minister for Education and Children's Services (Hon. R.I. Lucas)—

Department for Education and Children's Services Report, 1993-94.

Regulation under the following Act—

Financial Institutions Duty Act 1983—Revocation.

By the Attorney-General (Hon. K.T. Griffin)—

Dairy Industry Act 1992—Voluntary Price Equalisation Scheme.

Occupational Health and Safety Welfare Act 1986—Codes of Practice.

Summary Offences Act 1953—Report.

Regulations under the following Acts—

Construction Industry Long Service Leave Act 1987—General.

Co-operatives Act 1983—Abolition of Advisory Council.

Fair Trading Act 1987—Fee Increases.

Rules of Court—Magistrates Court—Magistrates Court Act 1992—Civil.

By the Minister for Consumer Affairs (Hon. K.T. Griffin)—

Regulation under the following Act—

Liquor Licensing Act 1985—Dry Areas—City of Noarlunga.

By the Minister for Transport (Hon. Diana Laidlaw)—

Regulations under the following Acts—

Dog and Cat Management Act 1995—Management of Animals.

Housing and Urban Development (Administrative Arrangements) Act 1935—

HomeStart Finance.

South Australian Urban Projects Authority.

South Australian Health Commission Act 1995—Fees to Medicare Patients.

SOCIAL DEVELOPMENT COMMITTEE

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I lay on the table my response to the Social Development Committee's report on family leave provisions for the emergency care of dependants.

GOVERNMENT MANAGEMENT

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to lay on the table a copy of a ministerial statement made today by the Premier in another place on the subject of Government management.

Leave granted.

REPUBLIC

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I seek leave to lay on the table a copy of a ministerial statement made today by the Premier in another place on the subject of constitutional change.

Leave granted.

PUBLIC TRUSTEE

The Hon. K.T. GRIFFIN (Attorney-General): I seek leave to make a ministerial statement on the subject of the Public Trustee.

Leave granted.

The Hon. K.T. GRIFFIN: Following the detection of a number of suspect payments, the Public Trustee notified the Fraud Task Force of her suspicions that an offence had occurred. As a result of their investigations, the police arrested three people on 29 June 1995. One of these people is an employee of the Public Trustee.

The alleged offences involve the falsification of accounts during the administration of estates. These offences are in no way related to the investment of funds or the increased commercial activity of the Public Trustee Office. The proposed changes to the legislation relating to the Public Trustee will not increase the risk to funds under administration in future.

The Public Trustee has a detailed system of checking and an active internal audit unit. The breakdown in control appears to involve human factors. However, as a result of the incident all relevant internal controls will be reviewed. No estate will be affected by this incident and all funds managed by the Public Trustee are secure and guaranteed. The Public Trustee holds significant reserves that can be used to make good any losses and is insured for this purpose. The facts of the case will come out during the course of any court hearing and it is therefore inappropriate at this time to debate this matter publicly.

DISABILITY SERVICES

The Hon. DIANA LAIDLAW (Minister for Transport): I seek leave to lay on the table a copy of a ministerial statement made today by the Minister for Health on the subject of disability services.

Leave granted.

QUESTION TIME

BASIC SKILLS TESTING

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about basic skills testing.

Leave granted.

The Hon. CAROLYN PICKLES: One of the important issues associated with the introduction of basic skills testing for all year 3 and year 5 students has been the question whether results will be used to assess the performance of teachers. The tests are not designed for this purpose, and classes throughout the State may be at different levels for a number of reasons. The best teachers do not necessarily teach the most advanced classes and *vice versa*. It will be totally inappropriate if individual teachers' skills were to be assessed in this way. My understanding is that this was the Minister's position also.

It was with great concern that I received a copy of a letter written by the member for Florey on this and other issues. The letter contains advice on education policy issues that gives the impression that the member for Florey took advice from the Minister or his staff. In relation to basic skills testing, the letter states:

> The tests will also identify in some cases teachers who have not been able to instruct a class to the required level for the age group concerned, so remedial action can be taken with individual teachers.

An honourable member interjecting:

The Hon. CAROLYN PICKLES: It does not matter whom the letter is addressed to. Will the Minister confirm or deny that basic skills test results will be used to assess teachers?

The Hon. R.I. LUCAS: As I have indicated on a number of occasions, the basic skills test is designed to identify and then eventually provide assistance for those young people who have learning difficulties: that is the intention of it. I have indicated that it is not designed to, in effect, develop a teacher assessment mechanism within South Australian schools. It is also not designed to produce league tables of schools in terms of assessment of school performance. However, I am sure that the member for Florey is talking about something which is obvious to most members, when one looks at some possible circumstances in relation to basic skills testing information.

At the local level, for example, a principal may have a number of year five or year three teachers and there would be students from the same socioeconomic area attending that school. One of the arguments is that a group of students from a school in a higher socioeconomic area might do better than a group of students from a lower socioeconomic area. I am not subscribing to that point of view but members of the Opposition and the union movement tend to put that point of view. We can consider, for example, a school with two or three separate teachers with two or three separate year three classes with students of comparable background coming from one area. You may find that two classes are doing extraordinarily well in aspects of literacy or in aspects of numeracy while one class of students from exactly the same background, exactly the same catchment area, is doing extraordinarily poorly in relation to aspects of literacy and numeracy.

In that case it might be—not driven by me as Minister or by the system—an obvious question to be asked by the principal at the school, and maybe asked by parents who get together at parent-teacher interviews and compare notes with other parents: what is the reason for two groups of year three students doing extraordinarily well in aspects of literacy and numeracy while another group of students from the same catchment area does extraordinarily poorly? It is only in those circumstances that parents and principals might, quite rightly, start to ask questions. For some reason your child in year three might not be doing so well while everyone else in the other year three classes is doing extraordinarily well. The reason may be teaching methodology, teacher performance or perhaps there are non-teaching related issues in that class. It may be that that class out of the three year three classes has a larger number of students with a learning difficulty. That might be an explanation for it. I am sure that all members would acknowledge that in any occupation, politics included, you have proven exceptional performers and some who might be categorised as non-performers.

The Hon. A.J. Redford: We understand that every time we look up.

The Hon. R.I. LUCAS: As the Hon. Mr Redford indicates, perhaps rather unkindly, we understand that only too well as we look across the Chamber. I will not be as unkind as my colleague, although I acknowledge his comment. But in any occupation you have your good and your not so good performers, and we must acknowledge that amongst the 26 000 staff of the Education Department we have good performers and a small number of not so good performers. There are all those possible explanations but, in that context, it might be that parents and the principal might want to start asking some questions as to why that class, in terms of performance, is different from the other two. Again I hasten to say that there might be teacher related questions, or the

particular teacher might be unfortunate enough to have a very large percentage of students with learning difficulties in his or her class while the other two teachers have no such students.

That is an unlikely prospect, because principals tend to try to spread the workload as evenly as possible amongst their year level teachers, in terms of students who might have learning difficulties or disabilities. I can presume only that the member for Florey in his correspondence is referring to those sorts of circumstances. But in the context of what the Minister for Education and Children's Services is saying on behalf of the Government, basic skills testing is all about students, all about educational outcomes for children, all about identification of and assistance for students with learning difficulties; it is not about an overall system designed to measure teacher competence or an overall system to construct league tables, in effect.

Members interjecting:

The Hon. R.I. LUCAS: No, the member for Florey is an extraordinarily capable local member of Parliament. I visited last week—

The Hon. R.R. Roberts: He said he'd fix up the police, and he hasn't.

The Hon. R.I. LUCAS: The Hon. Ron Roberts can make fun of the member for Florey, but he won that seat and will continue to win that seat because he is a very good member. In his schools he is respected by educators and parents alike. I visited three schools with him last week and can give testimony to the fact that he is respected by educational leaders and by school parent leaders within his community. I can assure the honourable member that, even if I wanted to, I do not need to direct the member for Florey on educational issues: he is well aware of Government policy. I have given members a possible explanation as to what the member for Florey might have been driving at in his letter.

GAMING MACHINES

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Attorney-General a question about gaming machines and the ramifications on small clubs.

Leave granted.

The Hon. R.R. ROBERTS: Since their introduction, there has been a side effect of gaming machines on small clubs and charities. It was anticipated that some $50 million would be generated by the introduction of gaming machines. The effect has been quite overwhelming, and double that amount has been achieved to date. I am advised by a number of constituents in small clubs and charities that the offshoot has been that their ability to raise funds has been dramatically reduced. They believe they are also encumbered by rules and regulations in respect of the sale of bingo tickets. I have a copy of a letter from a club in my home area which talks about some of the problems that it is experiencing in trying to maintain clubs and contribute to the community. The letter states:

> In today's climate [it] has been increasingly difficult and, not least of all, the introduction of poker machines has contributed in no uncertain manner to our problems. We believe the Government's changes to the Small Lotteries Section's taxation rules for instant bingo tickets is grossly unjust and unfair, in that you demand we pay this tax 'up front' on anticipated gross income to the supplier of tickets at the point of sale and still request, or really tell us, we must have a separate account for same, and an audited return by a qualified auditor. You then introduce poker machine legislation that sees the Government's coffers raking in millions of dollars at the expense of our sales and instant bingo. . . These rules and regulations seem pretty tough on the sale of a 25¢ ticket, especially now. . . when we have paid money to [the Government] on tickets we have not sold and have little chance of selling, or at best, will take a long time to recoup our outlay, not to mention bank and auditors' charges which [this Government] also impose upon us.

Whilst maintaining reasonable due diligence requirements, what relief can the Attorney-General provide to small clubs and charities to assist them in their plight?

The Hon. K.T. GRIFFIN: I hope that, in replying to that letter from one of his constituent's clubs, the honourable member will take the opportunity to indicate that the Government did not introduce poker machines into South Australia: it was the previous Government that was intent upon introducing poker machines and, in a very dramatic consideration of the legislation, the Parliament ultimately decided to introduce that legislation by a majority in both Houses. So, I hope the honourable member will make the point when replying that it was not this Government which introduced gaming machines.

Members interjecting:

The Hon. K.T. GRIFFIN: There was a bit of elbow bending of members on the other side particularly, because the then Treasurer could see a gold mine at the end of the rainbow.

Members interjecting:

The Hon. K.T. GRIFFIN: The honourable member asks why we do not give it all back. This Government has made provision for $1.5 million to be available to assist in dealing with some of the difficulties which arise out of gaming machines. The Financial Counsellors Association representative, Mr Vin Glenn, was reported in the newspaper only this week indicating the concerns that arise as a result of gaming machines. Although I am tempted to elaborate further, I should draw the honourable member's attention to the fact that I do not have responsibility for the administration of gaming machines: the Liquor Licensing Commissioner exercises an inspectorial role. It is correct that the Liquor Licensing Commissioner is accountable to me for his operations, but the operation of the law relating to gaming machines and certainly revenue issues are matters for the Treasurer. I also draw the honourable member's attention to the fact that I am not the Minister responsible for small lotteries: that is also the Treasurer's responsibility. In that context, I will refer the honourable member's questions to the Treasurer and bring back replies.

PATAWALONGA

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister representing the Minister for Health a question about the Patawalonga clean-up program.

Leave granted.

The Hon. T.G. ROBERTS: On the weekend there was quite a large rally at the corner of Henley Beach and Military Roads.

An honourable member: Any Libs there?

The Hon. T.G. ROBERTS: Yes, there were some Libs there, actually.

The Hon. Diana Laidlaw: How do you define 'large'?

The Hon. T.G. ROBERTS: It was large for the representative area for Henley Beach and Glenelg. If the same rally had taken place elsewhere in the metropolitan area I might have said it was huge, but in other cases it might have been regarded as small. It was bigger than some of the smaller

ones and much smaller than some of the bigger ones, but in relation to that rally it was regarded as adequate. It was a rally of people who were concerned about the impact of the program that the Government had put in train in relation to its preferred position to clean up the Patawalonga. The impact of the Government's preferred position was starting to be seen by local residents with the formation of large mounds and bundings that were starting to appear, and for the first time residents themselves are starting to ask what they have within their residential area.

I spoke to the Minister associated with the development, Mr Oswald, the same week and he gave me a briefing in relation to the Government's intentions for the bunding program and the clean up program to return the sludge material to the bunded area, where it would settle, be treated and returned back to the Patawalonga Creek. The residents were concerned that the odours and the dangers associated with the progress of that clean up program may impact on them, and they were certainly looking for answers to their questions from the local member, Mr Steve Condous, who was at the rally, I understand. They were looking for answers—

An honourable member: He wasn't driving a bulldozer, was he?

The Hon. T.G. ROBERTS: No, he was not driving a bulldozer, but I am assured that he will do whatever it takes to ensure that the Patawalonga is looked after in the interests of his local residents. He joined the local residents to show his displeasure at the way in which the process had been carried out. He also gave an assurance that he will arrange for a meeting with local residents and both Ministers responsible, namely, the Minister for Housing, Urban Development and Local Government Relations, Mr Oswald, and the Minister for the Environment and Natural Resources, Mr Wotton, and I am assured that that meeting will take place today.

My question was raised by the local residents. Why did the Government not do a microbiological test on the sludge and the residues at the bottom of the Patawalonga prior to the implementation of the Government's project preference, which it insisted upon? Why was that test not done in the first instance? The technical details associated with the engineering solution that had to be applied after the sludge had microbiological tests done on it might have indicated a clean up program more suitable than that which the Government has adopted. There is also outrage and concern about the possibility of an outlet being cut through the northern section of the sandhills in that area, thereby transferring the Glenelg residents' problems onto the West Beach and Henley and Grange residents' beaches. Will the Minister for Health assure the concerned residents in the Glenelg, West Beach and Henley Beach areas that there will be no community health problems associated with the Patawalonga clean-up program that is now taking place?

The Hon. DIANA LAIDLAW: I will refer the honourable member's question to the Minister and bring back a reply.

WOMEN'S LEGAL CENTRE

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Attorney-General a question about women's legal centres.

Leave granted.

The Hon. R.D. LAWSON: In the Commonwealth Justice Statement, which was issued by the Prime Minister in May of this year, a national women's justice strategy was announced. The so-called strategy, under the heading 'Women's Legal Centres', stated:

> In a major new initiative. . . the Federal Government will provide $12.3 million over four years to establish a national network of women's legal services.

The statement went on to announce that new women's legal centres would be opened around the country, including a new centre in Adelaide. The statement said:

> Over the next few months, the Federal Government will consult with local communities to determine the best locations for the new services and the most appropriate options for delivering services to meet the needs of each region.

First, given the existence in South Australia of well-established community legal centres, does the Attorney-General see merit in establishing new centres that are specifically designed for women, rather than expanding and improving programs offered through the existing community legal centres? Secondly, has the Commonwealth Government had discussions with the Attorney-General concerning the location of the proposed women's legal centre in Adelaide, and can he report thereon?

The Hon. K.T. GRIFFIN: As I understand it, it is intended to establish one of those centres in Adelaide as a result of the justice statement, and there is to be a grant of $270 000. The basis for that is claimed to be a means by which the inequities that women face in obtaining access to justice might be redressed. One of the difficulties with the justice statement is that in this area, as well as in relation to the Legal Services Commission and other areas, there was no consultation with the States or Territories about any part of the justice statement.

At an earlier Standing Committee of Attorneys-General, I raised with the Commonwealth Attorney-General (it was within the meeting itself, so it was not an off-the-record comment) my concern about what was floated last year, and that was a separate women's legal aid commission. He indicated that it was certainly not intended to establish something which, in effect, was in competition with the Legal Services Commission. Instead, of course, there is the proposal to establish the new women's legal centre.

A number of community legal centres operate in this State. They are funded partially by the Commonwealth and partially by the State. Norwood is one and Bowden and Brompton is another, and there is one at Enfield. Of course, there are branches of the Legal Services Commission in a number of other places in the north and south of the metropolitan area, as well as in country areas of this State.

The area in relation to the Legal Services Commission is something that I can address later, because I have received some propositions from the Commonwealth Minister for Justice which arrived last week and which indicate what funds will be available to South Australia in addition to the funds presently made available by the Commonwealth for the Legal Services Commission. We have to do some more work on the nature of the funds and the extent to which they will be put to use in the Legal Services Commission.

With respect to the women's legal centre, as I have said, the grant is, I understand, $270 000. That is $120 000 more than any ordinary new community legal centre receives by way of Commonwealth funding.

The Hon. Carolyn Pickles: There are probably more inquiries from women.

The Hon. K.T. GRIFFIN: There may well be, but my information is that inquiries for women are dealt with as part

of the community legal centres' day-to-day operations. I have heard no criticism of the way in which they provide their service to women in particular, nor have I heard any criticism about the way in which the Legal Services Commission makes services available, except that there is a suggestion that, in respect of family law, there is some—

The Hon. Carolyn Pickles: This has been going on for months now.

The Hon. K.T. GRIFFIN: I am not going on for months about anything.

The Hon. Carolyn Pickles interjecting:

The Hon. K.T. GRIFFIN: Well, there is no difficulty in the way in which the Legal Services Commission provides the limited funds that it has available. Total State and Federal funds for the Legal Services Commission in this State now amount to $14 million a year. It is regarded as one of the most efficient and community-oriented, if not the most community-oriented, of the Legal Services Commissions across Australia.

The Hon. Carolyn Pickles: They need more money.

The Hon. K.T. GRIFFIN: They certainly need more money. The concerns that have been expressed to me about the dedicated women's legal service include the extent to which it will duplicate the functions that are already being performed by the other agencies to which I have referred and also the location of it. If it is just one centre, it is certainly not proposed that it should have any outreach services. If it does, will those outreach services duplicate services that are currently provided by other agencies, either community legal centres or the Legal Services Commission?

The Hon. Anne Levy: It will have a 008 telephone number.

The Hon. K.T. GRIFFIN: It may have a 008 telephone number. Many bodies have 008 telephone numbers. I was at the Legal Services Commission the other day, when it was monitoring its own advice line. The good thing about that is that, certainly from all over South Australia, calls are made to the Legal Services Commission for advice. If it is necessary to have a face-to-face discussion with an adviser, whether a legal adviser or a paralegal adviser, that can be arranged over the telephone, and it can be arranged in a number of locations around the State.

A question that obviously arises in relation to the women's legal centre is that, notwithstanding that it might have a 008 telephone number, the extent to which it will be able to provide those services to women who do not have access to transport or who in some other way are restricted from gaining access to that location because of its inaccessibility—unless it is located in the city, and then everyone will have to track into the city if, as a result of the telephone discussion, legal advice is sought.

So, there is that duplication issue. I am not saying that more money should not be made available for legal advice to women. All I am saying is that there are concerns about the extent to which this duplicates existing services and the extent to which it will prevent, rather than encourage, access to justice, particularly because of the limited nature of the activities of that centre.

There has been no consultation with the Attorney-General's Department in relation to the establishment of that service. Obviously, if money is to be made available, consultation with the States notwithstanding, there is some good sense in endeavouring between the Commonwealth and the States to consult to ensure that there is a minimum overlap and, therefore, duplication of resources.

The Hon. CAROLYN PICKLES: I have a supplementary question. Does the Minister for the Status of Women support the establishment of a women's legal service—

The Hon. K.T. Griffin: No, the honourable member cannot ask a supplementary question of another Minister.

The Hon. CAROLYN PICKLES: Will the Attorney-General seek advice from the Minister for the Status of Women as to whether or not she supports the establishment of a women's legal service as provided for in the Commonwealth justice statement?

The Hon. K.T. GRIFFIN: I will be pleased to consult with my colleague and bring back a reply.

WATER LICENCES

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Transport, representing the Minister for the Environment and Natural Resources, a question about water licences in the South-East of the State.

Leave granted.

The Hon. SANDRA KANCK: I recently met with a husband and wife couple who are primary producers in the Naracoorte Ranges area, Mr Ron and Mrs Jenny Pridham. They run a property, Nentoura, which is a most productive dry land farm. In 1986 they wrote to the Water Resources section of the EWS requesting an irrigation licence, and the final sentence of the letter includes the words, 'I wish to record this as a future application,' although at that stage they were not in a position to sink a bore. The letter was acknowledged but the subsequent reply, which indicated that they would need to formalise their irrigation plans and lodge a licence application, never reached the Pridhams, who assumed that they were on a waiting list.

Eventually, the Pridhams came to realise that they had somehow been overlooked and, on 3 July last year, they filled out a formal application for licence to take water. According to the records of the South-East Region Water Resources Group of the Department of Environment and Natural Resources, the form was received on 7 July 1994 in Adelaide. After waiting for more than two months for a reply the Pridhams rang the Water Resources Group to find out what was happening. A letter eventually arrived dated 30 September—almost three months after their application had been sent—beginning with the words, 'I apologise for the delay in responding to your new application for water,' wording which tends to suggest recognition that there was an older application.

Unfortunately, the letter went on to advise them that the ground water in the Naracoorte Ranges proclaimed wells area, sub area 2, was fully allocated and that they could either have their fee back or appeal to the Water Resources Tribunal. The Pridhams have an appeal in process but have since been informed, through unofficial channels, of at least one other licence which was granted on 25 November, well after their application had been knocked back. It is worth noting that a water licence can be traded for values as high as $60 000, which is not a bad mark-up from the $110 fee that is required to be lodged to obtain a licence.

As a consequence of the department's decision, the Pridhams have had to crop rather than produce export quality seed, which would have enabled them to enter into contracts with guaranteed prices and markets. They will be financially disadvantaged as a result. My questions to the Minister are:

1. Did the Water Resources Section of the Engineering and Water Supply Department, and subsequently the Water Resources Group of the Department of Environment and Natural Resources, maintain a waiting list of applicants for water licences at any time from 1986 and onwards? If there was such a list, were the Pridhams ever placed on a waiting list to be considered for a water licence? If there was no waiting list, how were decisions made about who should receive priority in the receipt of licences?

2. Why was there a delay of almost three months from the department's receipt of the Pridhams' 1994 application to their notification that all ground water had been fully allocated, and at what point was the decision made that all allocations had been taken up?

3. From 7 July 1994 onwards, that is, from when the Pridhams' application was received, to the end of 1994, were any other property owners in the zone granted water licences? If so, how many and on what dates, and what were the dates of receipt of application forms of the successful applicants?

4. Given that the fee to obtain a licence is only $110, yet the successful licence holder can trade with the licence and make great profit, has the Minister considered a system whereby a licence if no longer required would have to be handed back to the department?

5. Given that such windfall profits can be made on water licences, does the Minister consider that undue pressure could be placed on departmental employees to give priority to one property owner over another in obtaining water licences?

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

PUBLIC SECTOR BONUS PAY SCHEMES

The Hon. T. CROTHERS: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about a statement made recently by the South Australian Auditor-General on Public Service bonus pay schemes.

Leave granted.

The Hon. T. CROTHERS: On 6 June this year, whilst addressing a major crime conference in Canberra, the South Australian Auditor-General, Mr Ken MacPherson, said in his address:

> Public Service bonus schemes were open to fraud, manipulation, abuse and criminality.

He then compared this type of scheme to one which operated at the former State Bank and which contributed to what he called 'a culture of secrecy'. Bank executives, he said, were eligible for bonus payments of up to $50 000. He went on to say that serious concerns held by several officers of the bank regarding the direction of that institution meant that they did not communicate those concerns through fear of loss of benefits and future prospects. He then said:

> This is a very dangerous culture to allow to take hold in any organisation, let alone a Government organisation.

Mr MacPherson further said:

> Current public sector employment contracts were not far removed from the State Bank situation.

Without an auditable foundation on which fairness and propriety could be demonstrated, the bonus system had a high potential for manipulation, abuse and criminality. Mr MacPherson then said:

> In practical terms in public administration it is unsound to place a person in the position of losing their bonus and possibly their position if they are considered too independently minded.

Those are a few quotes from the speech of our Auditor-General a reading of which, incidentally, may be of benefit to all our members of Parliament. In the light of the foregoing, my questions to the Minister for Education and Children's Services are:

1. Does he agree with the comments which I have quoted and which are attributable to the South Australian Auditor-General on 6 June this year about Public Service bonuses?

2. With the move by this Government to the privatisation of State-run businesses and the running of some Government utilities by private sector people, how does this Government propose to maintain the watchdog authority presently provided by the State's Auditor-General over the expenditure of moneys coming from the public purse, moneys which, I point out, emanate mainly from the pockets of South Australian taxpayers?

The Hon. R.I. LUCAS: I have not seen the comments attributed to the Auditor-General to which the honourable member has referred and, before I give a considered response, to be fair to the Auditor-General, I guess the Government and I owe him the courtesy of reading the context within which he made the particular remarks. I would have to say that my initial response would be that there would be some aspects of what is attributed to him with which I would not agree 100 per cent, but to be fair to be the Auditor-General, I ought to at least read the full speech and the context within which he was making those particular comments.

However, if we are talking about performance bonuses, to which I presume the Auditor-General is referring in his comments, I understand that only 10 or 20 public servants at the most within South Australia are on a performance bonus payments system—

The Hon. T. Crothers interjecting:

The Hon. R.I. LUCAS: The Hon. Mr Crothers says, 'You only need the one at the State Bank.' I do not know whether the problem at the State Bank can be solely attributed to the notion of whether or not there was a performance bonus. I would enter into a long debate as to whether that was the root of the problems of the State Bank. I think we ought to place it in perspective. We are talking about a very small number of public servants who have the opportunity of earning performance bonuses.

With respect to performance bonuses, my understanding is that the public servant or *quasi* public servant with the largest performance bonus was one appointed when the Labor Government was in power, and I refer to Mr Ross Kennan. I recall asking the question of the then Attorney-General as to whether the Government supported the package of $300 000 plus $70 000 performance bonus, under what conditions that would be paid and who would make the particular decision. I must confess I never got a response, of a satisfactory nature, anyway, from the Attorney-General or the Government to that question. My understanding of the performance bonuses for that small number of public servants I am talking about is that they are considerably less than the $70 000 offered to Mr Kennan under the regime of the previous Labor Government.

The only other point I could make—and I would need to clarify the detail of this—is that the Premier and other Ministers responsible have introduced or are introducing a system where an independent committee makes judgment about whether or not particular officers deserve a perform-

ance bonus and at what level. Again, I would need to confirm the detail as to whether that has actually been introduced already or is in the process of being introduced. I conclude by saying that I will take the question on notice, look at the Auditor-General's speech and respond as soon as I can.

GOVERNMENT PAMPHLET

In reply to **Hon T.G. CAMERON** (7 June).

The Hon. R.I. LUCAS: The Premier has provided the following response:

1. When the Government has received the accounts for publication of the pamphlet, the information will be provided to the Legislative Council.

2. No. The pamphlet was offered to all members of Parliament for distribution to provide information to the public on the financial recovery of the State.

3. No.

OUTSOURCING

In reply to **Hon. M.S. FELEPPA** (1 June).

The Hon. R.I. LUCAS: The Premier has provided the following response:

1. As the Government's major outsourcing programs have been implemented for only a limited period or are still being implemented, it is not possible to precisely quantify the net financial benefits at this stage. Cabinet only approves outsourcing programs where a clear net financial benefit can be identified. This assessment includes all costs, as well as savings, from outsourcing.

2. Savings achieved from outsourcing will be reflected in information published in the papers tabled in Parliament with the annual budget, and in the annual reports of departments and agencies.

COLLINSVILLE MERINO STUD

In reply to **Hon. R.R. ROBERTS** (1 June).

The Hon. R.I. LUCAS: The Treasurer has provided the following response:

I refer to previous reports to the Parliament and again confirm there are no problems with the land portfolio of the Collinsville Group of companies. Minor inconsistencies in the Form 18 prepared for the sale and updates since that preparation, were notified to all potential purchasers involved in the tender process. No land has reverted to the Crown and a new lease has been prepared and signed to replace the expired lease referred to by the honourable member. This replacement procedure was instigated by the Department of Environment and Natural Resources in the normal course of their business to standardise lease terms.

As previously reported in this Chamber, Mr Wickham has no legal rights in relation to the Collinsville Stud or Collinsville land. Because of this, the Registrar General has, on 22 May 1995, removed the caveats lodged on Collinsville land by Mr Wickham.

As members may be aware from press release SAAMC has signed a contract for the sale of Collinsville to Mr Paddy Handbury of Balmoral, Victoria. This sale contact is due for final settlement in July 1995 when Mr Handbury will assume formal management control. This sale has been well received by all sectors of the rural community who note Mr Hanbury's farming experience and commitment to the long term future of Collinsville and its position as the pre-eminent merino stud in Australia.

Repetitive questions in relation to a sale process which has been successfully concluded and caveats which normal title searches would have revealed no longer exist, only serve to constrain the ability of the new owner to continue the management of the stud for the benefit of Collinsville customers, staff and the South Australian rural community.

SCHOOL MANAGEMENT

In reply to **Hon. CAROLYN PICKLES** (6 April).

The Hon. R.I. LUCAS:

1. The existing trials were established prior to the current Government coming into office.

The Chief Executive of the Department for Education and Children's Services has established a working party to ensure that existing and future local school management trials are planned and coordinated in such a way to achieve corporate objectives. One of the purposes of this group is to determine a plan for the implementation of the first phase of local decision making.

The name of the working party is the Local Decision Making and Management Committee, and it comprises departmental staff and representatives from the Principal Associations. It is chaired by Dr Glenice Hancock, Executive Director, School Operations.

Membership of the Committee is as follows:

Ms Marilyn Sleath, Director, Personnel
Mr Bronte Treloar, Director, Corporate Services
Ms Sandi Fueloep, Director, Programs
Mr Bob Walters, Quality Assurance Unit
Two nominees—Joint Principals Associations
Ms Kerrie Crewe, SA Association State Schools Organisation Inc.
Ms Judith Bundy, SA Association of School Parents Clubs
Executive Officer, Ms Pat Thomson, Strategic Planning Unit.

The first meeting was held on 30 May 1995.

2. The schools involved in the current trials are:

South West Corner High Schools

(Brighton, Marion, Daws Road, Hamilton, Plympton, Seaview, Hallet Cove R-12).

Noarlunga Basin Schools

These schools are responsible for their own water and energy and are trialing the 'Business Manager' concept I have referred to.

Peachy Road Schools

A trial in which principals are involved in the selection of some of their staff.

Other

There are 11 schools which have been engaged in utilities (water, energy and waste management) trials in the western/northern area of the State for several years. A further 25 schools throughout the State have been involved in an energy management trial since 1993.

3. No. I have indicated previously that I have established a working party to look at 'the feasibility of putting elements of the SERCO proposal on trial in one cluster'. This working party has not as yet made any recommendations.

EARLY YEARS STRATEGY

In reply to **Hon. CAROLYN PICKLES** (7 March).

The Hon. R.I. LUCAS:

1. As part of the Early Years Strategy, an increase in speech pathology services was funded in the 1994-95 budget as a priority initiative to the level of $0.071m in 1994-95 and $0.168m for 1995-96 and 1996-97.

The additional $70 000 for the 1994-95 financial year is the equivalent of approximately three salaries plus on costs for six months from January to June 1995.

Two projects have been jointly developed by Children's Services and Programs Division which will enable these additional resources to achieve the Government's key directions of Early Intervention and Seamless Service. These projects will result in improved identification of, and services for 4 and 5 year olds by the end of 1995 to enable the achievements of the following outcomes.

(1) The servicing of all children in child parent centres in the metropolitan area with severe, moderate and mild difficulties, to provide a similar level of service.

(2) The provision of a continuous speech pathology service to be delivered to children in transition from pre-school into reception which children currently receive in community based pre-schools.

As a result of savings achieved by the reduction in the number of Children's Services regional directors, three speech pathologists were appointed at PS02 level (one in each Children's Services region) on a recurrent basis. Two of these new positions were filled in September, 1994. The third position in Mount Gambier is a joint Children's Services and Schooling Sector position and is about to be filled. This delay was created by the need to draw up a job and person specification which was common to both sectors.

2. Three salaries were available in 1994 and three additional salaries were made available in 1995 for psychological assessments.

To meet peaks in demand for psychological services delivery and address gaps in service, an additional $0.16m has been allocated for the provision of psychological services for the remainder of 1994-95 and $0.38m for a full year on a recurrent basis. This is equivalent to approximately six salaries including on-costs and goods and services budget.

The letting of short term contracts for psychological assessments has occurred in Port Augusta and Port Pirie Districts and to designated schools in Elizabeth and Salisbury and The Parks area. A consultant was recently contracted to conduct assessments at Berri Primary School to meet a peak in demand for service at that school. A consultant has been selected from the register to conduct these assessments. Consultants will be used in Port Pirie and Port Augusta districts in 1995 as it has not been possible to attract suitably qualified employees to these locations.

Guidance Officer vacancies remain in Whyalla and Port Pirie. Early this year these vacancies were advertised at PS03 level to attract qualified applicants. The selection process for the filling of these vacancies is currently under way.

The evaluation reports of these trials are currently in preparation. Informal feedback from principals indicate the success of the trials in meeting peaks in demand for psychological services. Further contracting will be required in Port Augusta, Port Pirie and other country districts to address service delivery gaps.

3. The number of special education teachers available to support students with disabilities in junior primary, primary and secondary schools has been increased by 6.0 full time equivalent positions.

Tier 2 staffing for students with disabilities is generated on a 1:500 formula, based on the total population of students enrolled in schools R-12.

When the formula was applied on the 1994-95 enrolment data, a total Tier 2 allocation of 400 salaries was generated. This was six salaries less than that generated in 1993-94.

Given the increase in the total identified students with disabilities population of 39 students, it was agreed to maintain the level of Tier 2 Special Education salaries at 406 for the 1994-95 school year.

This ensures the same level of resourcing to support students with disabilities although there has been a decrease in the total student enrolment across the state.

The salaries have been distributed as part of the total Tier 2 salary package for students with disabilities and are not aligned to any particular school.

4. Cornerstones, the training program for teachers in schools and pre-schools, commenced in schools in term 2. Twenty-four district co-ordinators were appointed and received training during term 1. They will deliver the program in terms 2 and 3.

5. All schools were invited to apply for the $2 000 grant for reading recovery, with nine DECS schools responding. Grants have been processed and forwarded to schools.

The schools are:

Direk Junior Primary School
Elizabeth Downs Junior Primary School
Elizabeth Park Junior Primary School
Salisbury North Junior Primary School
South Downs Primary School
Two Wells Primary School
Lucindale Area School
Mount Gambier East Junior Primary School
Mount Gambier North Primary School

6. Two project officers have been appointed to manage the ECLIPSE and First Start projects and ensure close links with other Early Years Strategy initiatives.

The officers are preparing to implement the trial of ECLIPSE.

Eighteen centres were invited to participate in this pilot, and 16 centres have confirmed their involvement. The centres were selected on the basis that they provide a good cross section of services within the early childhood field.

There are Children's Services pre-schools, child parent centres and child care centres located in the metropolitan area, in rural centres, and isolated rural communities. Within these centres there will be children from Aboriginal families, children from non-English speaking background families, families from low socioeconomic backgrounds, as well as families from more affluent settings.

The training program for staff teams from these centres is currently being developed. There were two training days held, one for the metropolitan teams on 31 March and one for the country teams in Murray Bridge on 7 April. Feedback from these centres in term 2 will be used to revise and refine the final ECLIPSE document prior to publication.

7. The project officers are currently developing an operational handbook for the First Start program.

The locations identified for the First Start programs are Port Pirie, Taperoo and Hackham West.

Job descriptions for the field workers for these programs have been developed and the positions advertised. Once the selection of field workers is completed, induction and training programs will be provided and the programs will become operational.

An early literacy steering committee has been established to oversee both these projects. The committee comprises of representatives from Children's Services both at Central and Regional level, the Curriculum Division, and the Junior Primary Principal's Association.

PUBLIC ENQUIRY TIMETABLE SYSTEM

The Hon. T.G. CAMERON: I direct a question to the Minister for Transport regarding the Public Enquiry Timetables System, commonly known as PETS. How much has the Government spent on the computerised public enquiry timetables system? When will it be introduced for the benefit of TransAdelaide patrons? Is there a chance of PETS being sold to other public transport authorities?

The Hon. DIANA LAIDLAW: I will have to get more details for the honourable member because of the specific nature of his questions. I understand that a payment has been made to Vision Systems by the former Government and the current Government. A review is being undertaken of the future arrangements between the Government and that company. All those arrangements are amicable at this time, but I will return with further details.

EDMUND WRIGHT HOUSE

In reply to **Hon. L.H. DAVIS** (12 April).

The Hon. K.T. GRIFFIN: The Minister for Industrial Affairs has provided the following response:

Edmund Wright House will be retained as a Government-owned asset in recognition of its unique cultural significance to the State. In the short term, the Registrar of Births, Deaths and Marriages will relocate from the building to Chesser House to satisfy efficiency needs.

The Office Accommodation Division (OAD) of the Department for Building Management (DMB) is currently reviewing the building as part of its strategic office asset management and portfolio function. In this regard it is advised on executive policy by the Government Office Accommodation Committee (GOAC).

Future plans for the building are subject to assessment of the building's physical condition and its continued capability for long term leasing to Government agencies on an acceptable commercial basis. This is now a standard process to enable progressive quality assurance of Government assets and is now under way.

As part of this due diligence process an extensive building audit is being commissioned for completion in late July-early August. Coverage will include:

- Compliance to legislative requirements—building code, occupational health and safety, etc.
- Condition of architectural/structural elements, mechanical services, lifts, electrical and lighting services and external works
- Ongoing maintenance costing
- Correlation of findings to identify severity of upgrading works required, on a building life cycle costing basis. Options and required program timing will be investigated.

Reference in the audit shall be made to a recently commissioned and completed conservation report (Danvers architects) to ensure any costings and options reflect appropriate treatment of heritage items and building areas.

Discussions with the Department of Arts and Cultural Development are being held on the potential for a long term tenancy for a cultural-related use of the building with any programming being contingent on assessed audit findings.

The Chairperson for the Australian Society for Keyboard Music has been informed that the society's subsidised periodic licence to use the chamber hall for public concerts has been extended to the end of 1995 while the review and internal marketing is undertaken. The Office Accommodation Division of the Department for Building Management will take any inquiries regarding casual use of the building for particular events.

COMMUNITY ARTS GRANTS

The Hon. ANNE LEVY: I seek leave to make an explanation before asking the Minister for the Arts a question about community arts grants.

Leave granted.

The Hon. ANNE LEVY: For many years now a grant of $28 000 from the community arts line has enabled the United Trades and Labor Council to employ an arts officer.

The Hon. A.J. Redford interjecting:

The Hon. ANNE LEVY: As a result of this, the union-generated community arts activities have contributed up to $150 000 a year from the union movement for arts activities which are relevant to the lives of trade union members.

The Hon. A.J. Redford interjecting:

The Hon. ANNE LEVY: This has been an extremely successful community arts program. There are many testimonies to its value. For example, murals around Adelaide and publications which have resulted from arts activities in trade unions attest to the value of this program. I understand that—

The Hon. A.J. Redford interjecting:

The Hon. ANNE LEVY: Mr President, I would ask for your protection from that noise opposite.

The PRESIDENT: Order! I ask members on my right to restrain themselves while the question is being asked.

The Hon. ANNE LEVY: The Community Arts Advisory Committee has for many years deliberated on the distribution of grants to community arts activities and the grant to the community arts officer at the UTLC has come from this line and been recommended by the peer group assessment strategy which is taken by the Community Arts Advisory Committee. I believe it is now called the Community Development Advisory Committee, but its function is similar to that of the previous committee.

When the Minister removed the allocation of money for community radio (75 per cent of which she later restored), one of the reasons for removing the money was, as I understand it, that community television was not funded, and it had complained about this fact, so to be fair, community radio was also to be slashed. That type of reasoning could lead one to suggest that, because the Chamber of Commerce and Industry has never been funded for an arts officer, the UTLC should not be funded for one either, though in my experience the Chamber of Commerce and Industry has never requested funding for an arts officer to stimulate arts activities amongst its members. The funding to the UTLC community arts officer is to be completely abolished, which will deny community arts participants—

Members interjecting:

The Hon. ANNE LEVY: Mr President, I again ask for your protection from the noise opposite.

The PRESIDENT: Order! I suggest that the honourable member get on with her question.

The Hon. ANNE LEVY: The funding is to be completely abolished, which will deny community arts participation to thousands of people and reduce community arts support not just by $28 000 but potentially by the $150 000 that it has generated. I ask the Minister:

1. Was the abolition of funding for the UTLC arts officer recommended by the Community Arts Advisory Committee, or has it been bypassed again and peer group assessment is not part of this decision?

2. Is the cut in this item signalling a downgrading of community arts as a priority; are any other community arts programs to be cut; and, if so, which?

3. Is the reason for this cut purely political due to the Minister's dislike of the trade union movement for overriding her responsibility as Minister for the Arts to encourage community arts in all sections of the community?

The Hon. DIANA LAIDLAW: I know that the honourable member has not been well and I hope that she will get better soon, but that is no excuse for such an extraordinary outburst on political decision making in the arts. I get on extremely well with the UTLC, the arts officer involved and the union movement in general. I think that many union representatives throughout transport and in the arts would testify to that. If the honourable member saw the flowers that I got from one union representative in the arts with the words on the note, she would be quite interested to see where support for me and the Liberal Government comes from. There is no personal political vendetta, as the honourable member may suggest. It is a fact that while I was able, through Cabinet support, to attract additional funds for specific events and priorities in the arts, I also had to make various cuts, as distasteful as that might be to me, the Cabinet and everyone else, but we have to work within an extraordinarily difficult budget.

Members interjecting:

The Hon. DIANA LAIDLAW: No. I was thinking of investing in freeze-drying those flowers. I have certainly kept the note and pressed one flower. The peer group assessment remains. It is not appropriate, in my view, when budget matters have to be discussed, that they should be canvassed with these committees. That is a matter for the Government to decide. The role of the peer group is to allocate the sum of money that is given to that committee to allocate.

Community arts are not being downgraded. They will be working within a certain sum of money and they will make decisions within that amount. The honourable member went off on a bit of a tangent about community radio. She knows why the announcement was made in the first place and why I found additional funds later. It was my understanding that the—

The Hon. Anne Levy interjecting:

The Hon. DIANA LAIDLAW: No. I made a decision on the first interview that I had on 5UV. When it was pointed out to me, on the Saturday morning after the budget, that the Arts Department over some years had encouraged community radio programs to seek funds for equipment and that that had been an approved process by the department, which was not my understanding of the approach, I decided then to seek the additional funds that would be required to reinstate at least part of that funding. The argument when I made the initial decision to cut the funding was the same argument as I made when I reinstated part of the funding: that if community radio seeks funds through the arts program it must seek funds for arts purposes as must other organisations when they seek arts funding. It is a very simple outline of what arts funding is for. If people wish to apply for those funds, they must have an arts-related project. It is very simple. That is what I said they would have to do, and they had not been doing so. When I learnt of the department's involvement, I decided that I had not been well advised and would have to find the additional funding and reinstate that funding, which I have done.

The Hon. T.G. Roberts interjecting:

The Hon. DIANA LAIDLAW: The previous Minister was. The arts task force, which involved a whole range of people from various backgrounds in the arts, has asked for a more targeted approach to arts funding, and that is what I am trying to achieve. Sometimes there will be heartache—I think

that applies to me as well—and at other times there will be joy, such as the additional funds found for the arts within the current budget. When the budget figures were released, I suspected that the only two people in South Australia who would be sour would be the Hon. Anne Levy and the Hon. Mike Rann, and I suspect that remains so.

The Hon. Carolyn Pickles: You're just sour permanently.

The Hon. DIANA LAIDLAW: That's my nature—sour.

MISREPRESENTATION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 June. Page 2068.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition is pleased to support the second reading of this Bill. It will come as no surprise to the Government that we support the more realistic penalties for which the Bill provides. The same applies in relation to the housekeeping amendments, particularly in relation to the revision amendments set out in the schedule, whereby another set of gender exclusive terms is disposed of. In other words, the Misrepresentation Act as amended will expressly apply to women as well as to men. At this stage I foreshadow an amendment which the Opposition will seek to have included in the Bill. The Attorney's review of the Misrepresentation Act provides an ideal opportunity for examining the burden of proof in relation to misrepresentations in light of cases based on provisions of the Trades Practices Act—the Commonwealth legislation which deals with misrepresentations amongst other matters.

The Opposition submits that the burden of proof should be made easier for those wishing to sue for misrepresentation to the extent that, where there is a purchaser who is found to have relied upon a misrepresentation, that misrepresentation should be deemed to have induced the purchaser to have entered into the contract. Although mostly a benefit to purchasers, it is intended that this deeming provision be available to all contractual parties. The Opposition supports the second reading and will go into further details about this amendment when the clauses are debated in the Committee stage.

The Hon. A.J. REDFORD secured the adjournment of the debate.

STATUTES AMENDMENT (RECORDING OF INTERVIEWS) BILL

Adjourned debated on second reading.

(Continued from 7 June. Page 2127.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition supports the second reading; indeed, the Opposition will be glad to see this Bill enacted. In his report on the Bill the Attorney adverted to the numerous reports as well as the judicial comment which has advocated the case for a statutory obligation upon police to video record police interviews with people suspected of serious crimes. The Opposition recognises that video recording of police interviews where people are questioned about indictable offences has been occurring in South Australia for many years. During the last Labor Government, adequate resources were provided to ensure that video facilities were set up in major police stations as well as in regional South Australian police stations. Police now have a well established routine in respect of video interviews. The technology is proven.

It is very rare these days that accused people challenge some technical point in relation to videotaping machinery or the actual procedure carried out when video recording is done; although, of course, there are questions raised every day about whether a formal caution has been given to the interviewee at the appropriate time or whether the questioning is unfair to the interviewee in some way. The Opposition recognises that the wide spread practice of video recording in relation to serious offences has led to a dramatic reduction in the number of court challenges made in respect of express or implied admissions on the part of accused people to police. Prior to the introduction of video recording of police interviews it was common place for accused people to make allegations that they had been verballed; in other words, that police had fabricated admissions on behalf of the accused person and had written these fabricated admissions down for use as evidence against the accused person in court.

These sorts of allegations were made commonly when the accused person had not signed the police written record of interview, but even where the accused person had signed a record of interview there were many cases where the accused person would later say that he or she had not read through the transcript of the interview and that the record of interview contained admissions which had never been made. Regrettably, it transpired that on many occasions these allegations were well founded: hence a deep concern about police practices which led to the call for video recordings of interviews. Of course, the video recording of interviews assists both parties to the interview. On the one hand, it is exceedingly difficult for police to manufacture admissions in the course of video recording and interview with a suspect. Of course, as the video machine records the interviews there is a timing mechanism which displays the time second by second as the interview proceeds so that any break in the interview should be readily apparent. The other side of the coin is that it is very difficult for an accused person to get away from the incriminating force of an admission which is made to police and which is video recorded.

The Bill creates the alternative obligation upon police to audio tape an interview if it is not reasonably practicable to videotape the interview. The Bill also provides for a situation where it is not reasonably practicable to either audiotape or videotape an interview initially. In that case, the written recording of the interview must be read aloud to the suspect as soon as it is practicable to put the suspect in a situation where he or she can be videoed. The suspect then has an opportunity to challenge anything in what is supposedly the written record of an earlier interview. So, reasonable precautions are provided. Appropriate arrangements are made in the Bill for the suspect to obtain a copy of the videotape or audiotape of the interview. One hopes that the fee to be fixed by regulation will not be excessive given that a large number of people charged with indictable offences are among the members of our community who are not so necessarily well off. The Attorney may care to comment on what he

thinks is the appropriate fee or how that fee will be determined.

Proposed new section 74G maintains an important safeguard in the form of the common law discretions to exclude evident that is illegally obtained or in some way unfair to the accused. A point of concern relates to proposed section 74E contained in clause 6 of the Bill. The proposed section provides that evidence of an interview between an investigating officer and the defendant is inadmissible against the defendant unless the investigating officer complies with a statutory obligation set out elsewhere in the Bill. Alternatively the video or audio tape of an interview can be admitted if the court is satisfied that the interests of justice require it even though the investigating officer has not complied with the statutory obligations. Most people will probably agree that an admission to a serious crime genuinely made by a person on trial for that crime should be allowed into evidence and put before the jury, assuming it is a jury trial. Most people would say that that should be so even though there is some technical breach of investigating procedures by a police officer.

Concerns arise where there is substantial non-compliance with the statutory obligations, in which case the judge would presumably only allow the evidence of interview to be received by the court if the judge decided that the accused person was probably guilty and that that therefore justified evidence of a damning admission being received into evidence. For example, what if the investigating police officer conducted five different interviews in a row over a period of several hours and in the first four interviews the defendant denied committing the crime but in the fifth recorded interview confessed? In this hypothetical example the investigating officer denies that there were four sessions of the interrogation prior to the fifth one and hard evidence of those prior interviews is destroyed. Assuming the judge accepts that this non-compliance has taken place, and assuming the judge believes the confession ultimately made by the accused is a genuine one, does the judge then allow the evidence of that fifth recorded interview before a jury at the trial of the accused?

It may be that, even though proposed section 74E apparently requires the admission of the evidence upon the interests of justice (whatever that means), proposed section 74G still allows the judge to reject the evidence because the flouting of the law by the police officer has been so repugnant. In relation to clause 5, will the Attorney address whether the test of whether the interests of justice require the admission of the evidence is compatible or incompatible with the common law rules as to admissibility which appear to be preserved in proposed section 74G? Our objections in that regard are highlighted at this stage so that the Attorney will have an opportunity to consider those remarks prior to debating the clauses of the Bill in the Committee stage. On the whole, the Opposition is pleased to support the introduction of compulsory video recording of police interviews. I support the second reading.

The Hon. A.J. REDFORD: I support the legislation; in fact, I welcome the Bill and congratulate the Attorney-General on this legislation. The issue of confessions is an issue that comes before the courts on a daily basis and is one that impacts on many occasions on the lives of those engaged in the criminal law, particularly as lawyers. I refer to the High Court decision of *McKinney v Judge* ((1991) 171 Commonwealth Law Reports, page 468f) where the High Court basically said that a trial judge must warn a jury that it is dangerous to convict a person on the basis of a confession made in police custody unless that evidence is corroborated. The High Court's reasons were well set out in that judgement and anyone interested in that topic should read it.

Over the years there has been real concern generated as a consequence of so many cases coming before the courts where the veracity or validity of a confession is disputed. Indeed, even as a criminal lawyer when one's client says that a confession is wrong, has been forced out of him or has been made up it is difficult for the criminal lawyer to go into a courtroom to challenge the veracity and honesty of a police officer. It is pleasing to see that through the previous Attorney-General—his efforts in this area should be acknowledged—and the current Attorney-General we now have a regime in place where issues such as that are less likely to be brought into the courts.

It is important, not just in terms of convicting defendants or for the smooth running of justices, to have a system such as this to improve and enhance the credibility of ordinary police officers working in our community in what everyone would agree is a difficult job. In my previous occupation I found the most distasteful part of my job having to challenge a police officer in relation to a confession but, at the end of the day, as a criminal lawyer defending a person, you have a duty and responsibility to follow your client's instructions. I am sure that this legislation will not only be welcomed by prosecuting authorities but by defence lawyers. Then the really important issue of sentencing can be dealt with that much more quickly and the real issues identified without enormous resources and court time being taken up as a consequence of *voir dire* hearings and disputed confessions.

It is also pleasing to hear from the Attorney-General's second reading explanation that the police support this measure. When measures such as this—video recording and the like—were introduced in Victoria there was considerable resistance to those suggestions by the Victorian police. I understand it was not too long after the introduction of these sorts of measures that the Victorian police acknowledged how effective they had been. I refer to the increase in the conviction rate and the reduction in police time lost in courts, and I am pleased that that attitude has transposed itself into this State. As I have said previously, with issues such as this it is important to take a whole of government look at the expenditure required and what needs to be done in improving our legal system across the board. When video recording was first raised in the early 1980s the response from some quarters within the South Australian Police Department was that there would need to be an increase in resources given to the police and that they did not have the resources so that, therefore, this was not a worthwhile exercise. If one looks at it from a whole of government approach, the small increase in cost visited upon the police in providing resources in this area is well outweighed by the enormous cost saving in court administration and in the reduction of court waiting lists.

At the end of the day it is important that there be good consultation between the courts, the legal profession, the Legal Services Commission, the Director of Public Prosecutions and the police to ensure that perhaps resources applied in one area will lead to a considerable saving in other areas. I share the concerns of the Leader of the Opposition about the cost of the provision of the video or tape pursuant to new section 74D(6) and I am sure, if the Attorney cannot advise us today, then in the not too distant future he will be able to advise us on this.

I was in court a fortnight ago and I saw a magistrate, his staff and a number of lawyers attending the City Watch House to view a video there because it was cheaper to shift the court to the watch house than to take the video from the watch house to the court to view it. I understand that has happened on a couple of occasions where people have been recorded on video assaulting police. I hope that those sorts of issues and problems can be resolved. I share the views of the Leader of the Opposition that the costs be kept to an absolute minimum in the provision of these videos.

I am involved in a matter at the moment where I am acting for a person who has been charged with a number of offences under the WorkCover legislation. It is a private prosecution and it is exceedingly disappointing to see in that prosecution the exempt employer adopting a process where the worker was sacked on one day and on the same day was given notice of termination of weekly payments, on the same day was prosecuted and shortly thereafter was told that she would have to pay $200 for a copy of the videotape recording her activities. I am pleased to see there is a provision such as 74D(6) in the Bill.

I do not share the same confidence of the Leader of the Opposition in new section 74D(1)(c), which relates to proper procedure being adopted where it is not reasonably practical to record the interview on video or audiotape. Perhaps it is a criminal lawyer's cynicism, but I hope that provision is not abused. A person could be forced through threat or some form of coercion to sign a confession and it is not beyond the realms of possibility that a person can also be provided with a written record of the interview under the same coercion and then be recorded as saying, 'I agree with everything that is in that tape.' True, I do not have a better solution than that contained in the Bill, but I hope that the Attorney and the Director of Public Prosecutions will monitor the use of that provision carefully and, if there is a requirement for any changes, so be it. Obviously, I would defer to the views of the Attorney-General but, in response to the Leader of the Opposition's comment about the relationship between the proposed sections 74E and 74G, I believe she expresses the concern that perhaps the discretion of the court may be undermined and an injustice possibly arise because of the terminology in section 74E.

I do not quite share that concern. The proposed section 74G provides that this division does not make evidence admissible that would otherwise be inadmissible, or affect the court's discretion to exclude evidence. It is my view that it is quite clear that section 74G is the prevailing section, notwithstanding the fact that a person may come within proposed section 74E if the court is of the view that it is in the interests of justice, in the normal exercise of weighing the discretion between the interests of justice generally and the interests of securing a conviction. That ordinary balancing process has not in my view been affected by this legislation, and nor should it. The courts are uniquely equipped to make these decisions and do so on a daily basis. Occasionally, they are criticised for the way in which they exercise their discretion, and I am sure that those occasional criticisms will continue to apply. These are always difficult issues. Judges are constantly faced with a choice between two difficult positions and, at the end of the day, they are uniquely equipped to handle it.

In summary, I congratulate the Attorney for this legislation. I again acknowledge the contribution made by the previous Attorney in relation to the provision of equipment and resources. I commend the legislation to this place and acknowledge the Opposition's contribution on this topic.

The Hon. K.T. GRIFFIN (Attorney-General): I thank members for their indication of support for this Bill. It is an important piece of legislation that has had a somewhat chequered career in getting to the stage where we can debate it and, hopefully, enact it. I know that the previous Government was giving consideration to it and there were some difficulties at that stage, particularly in relation to the cost of transcripts. The cost of the printed transcript of the recording was suggested to be prohibitive. When we looked at the issue we found that most of the interviews currently being undertaken by police by audio or video are in fact transcribed for the purposes of court proceedings, so that the additional cost is, in the scheme of things, likely to be negligible. Having worked our way through that issue, we had some informal discussions with the Chief Magistrate, with the DPP and others and, as a result, protocols will be developed in relation to the point at which transcripts may be required for the purpose of court proceedings.

In terms of copies of the videotapes or audiotapes being made available to a suspect, the Government has not given any consideration to the fee that might be charged. I should like to think that it would not be exorbitant, because the cost of blank tapes is not high and it is just a matter of slipping it into a video recorder, doing some quick copying and handing it over. So, I cannot see that the handling charge will be particularly high. That is the only observation I can make to the Leader of the Opposition in relation to what I would expect to be the case, but we have not yet given consideration to that aspect of implementation.

The Hon. Mr Redford raised the issue of proposed section 74D(1)(c). I can say no more than that we have endeavoured to provide a framework within which this legislation can be implemented over a period of three years, recognising that even in some locations after that it may not be possible to do either a videotape interview or an audiotape interview of a suspect. If one is in a remote location where there are not taping facilities, either video or audio, it may be necessary to revert to the notebook transcription of the interview. We have recognised that in the transitional period there will be occasions when a video camera is not available but there is an audiotape, so that is the next best method of recording. If neither is available, the old notebook transcribing the conversation, or typewriter for that matter, will be used. Whilst there may be some concerns about paragraph (c), all I can say is that it has been carefully crafted to ensure that, as much as possible, the best evidence that is available and the best method of recording the interview are used.

The Leader of the Opposition also raised the issue of admissibility of evidence. The Hon. Angus Redford has adequately covered that, but I just repeat the legal position. We are seeking to provide a framework within which it becomes effectively mandatory for police officers to record the interviews of suspects, for the reasons that I outlined in my second reading explanation and also for the reasons that have been touched upon by both the Leader of the Opposition and the Hon. Mr Redford in their contributions today.

So, it is a framework within which statements will be taken; it is intended that it be almost mandatory and that, notwithstanding that and that the framework of the scheme is required to be complied with, there may be some technical breaches which do not affect the quality of the evidence,

which will prejudice the accused but which nevertheless should allow the statement to be admitted.

Of course, there is the overriding issue of the interest of justice, which must be the criterion for the determination of any evidence being admitted if the statement is not taken in accordance with the framework set out in this part of the Bill.

The proposed section 74G is there out of an excess of caution. We do not want the framework established by this Bill for the taking of statements to, in a sense, override the present laws relating to the admissibility of evidence. There may be something in the statement that is videorecorded which might, if taken down by way of transcription into a police officer's notebook, be inadmissible. It is not intended that, by following the framework, that which is inadmissible will thereby become admissible. That is the tenor of section 74G: to protect the legal position relating to the admissibility or inadmissibility of evidence, particularly where a statement is taken in the context of this legislation.

The Hon. Angus Redford made one further observation, which related to police support for this legislation. I have not detected any lack of police support for the spirit of the legislation. Resource issues have, of course, been raised, and they are issues that we will address in the course of the implementation of the scheme.

In conclusion, it is an important piece of legislation which I think will provide more certainty within the criminal justice system. It will provide not only protections for suspects who are interviewed but also much more effective means by which courts can be informed of statements which are given. Ultimately, it may well reduce the number of pleas of not guilty which are designed to test the prosecution case to determine whether the prosecution has sufficient evidence upon which to prove the case beyond reasonable doubt.

The experience with videorecorded admissions in other States is that they have meant a significant reduction in the number of pleas of not guilty, because the evidence in the videorecording is incontrovertible. It has also reduced significantly the otherwise long *voir dire* hearings which are a feature of most serious criminal trials where police officers have transcribed statements into their handbooks or taken them down on typewriters. I hope I have answered all the questions raised by members, but if I have not I am happy to endeavour to do so during the Committee consideration of the Bill.

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

STAMP DUTIES (MARKETABLE SECURITIES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 June. Page 2165.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition supports the second reading. This Bill simply reduces the amount of stamp duty payable in relation to sales of marketable securities listed on the Australian Stock Exchange. In this context, most people would first think of share trading, although there are varieties of marketable securities. South Australia was forced into reducing the stamp duty in relation to these transactions after the recent move by Queensland to reduce stamp duty in relation to Stock Exchange securities. The States have successfully been played off against each other, and now all States must look at reducing stamp duty on these transactions in order to remain competitive. The Opposition supports the second reading.

The Hon. R.I. LUCAS (Minister for Education and Children's Services): I thank the honourable member for her second reading contribution and support for the legislation. I look forward to its quick progress through Committee.

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

ADJOURNMENT

At 4.32 p.m. the Council adjourned until Wednesday 5 July at 2.15 p.m.